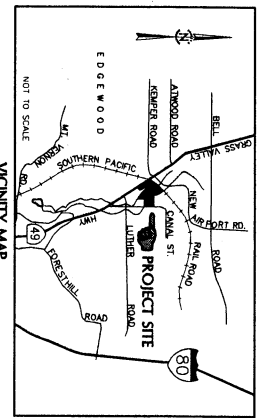


PARKING DATA

CODE REQUIRED PARKING: 0.1 STALL/200 SF	
BUILDING AREA 155,000 SF / 200 = 517 STALLS	
PARKING PROVIDED:	763
STANDARD STALLS (10'x20')	0
COMPACT STALLS (9'x16')	763
TOTAL PARKING STALLS PROVIDED:	763
PARKING RATIO:	5.03 STALLS/1,000 SF
CART CORRALES:	15

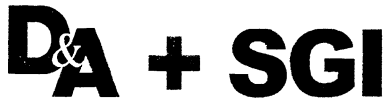


Scale: 1" = 60'
 Drawn by: RHC
 Checked by: RHC
 Date: 05-10-2013
 Project No.: 2013-002
 SHEET
 C-20
 OF 9

**BOHEMIA RETAIL PROJECT
 CONCEPTUAL
 SITE PLAN**

BOHEMIA PROPERTIES, LLC
 735 SUNRISE AVE., SUITE 200
 ROSEVILLE, CA 95661

DA + SGI
 engineers planners surveyors
 1400 S. 10th Street, Suite 100
 Roseville, CA 95678
 Phone: (916) 782-1000
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 Email: info@da-sgi.com
 Website: www.da-sgi.com



engineers planners surveyors

a Joint Venture

Doucet & Associates, Inc. + Surveyors Group, Inc.

May, 5, 2010

Mr. Gerry Haas – Senior Planner
Placer County Planning Department
3091 County Center Drive
Auburn, CA 95603

RE: Bohemia Retail Project Description

Dear Gerry:

Per Chapter 17 of the DEIR for the Bohemia Retail Project a “No Canal Access Alternative” was discussed. Upon further discussion with neighbors, staff, and potential users we would like to change the project description to limit the Canal Street access to emergency vehicle, pedestrian and bicycle traffic only. The required additional studies were completed and are a part of the EIR, which allows for this closure. We also understand the hearings schedule will not be changed.

Attached is a revised project description with this change. If the assumptions are correct please take this letter as a request to restrict the Canal Street access as identified above.

Sincerely,

A handwritten signature in cursive script that reads 'Ronald E. Clundt'.

Ronald Clundt P.E.
Doucet SGI – Vice President

BOHEMIA RETAIL PROJECT

Project Description October 27, 2008

General Information

The project site is located approximately two and one-quarter miles north of the City of Auburn on the east side of Hwy 49 north of Luther Road. APN numbers for the site are 052-102-012, 103,017, and 053. The site is bound by Wise Canal on the west, a single family residential neighborhood to the north, Canal Street on the east, and the PG&E Rock Creek Corporation Yard to the south. The topography slopes from Canal Street, 1480 feet above mean seal level (msl), to about 1,428 feet msl at the southwest corner of the site. APN numbers 052-102-012, 013, and 017 are designated under the General Plan as Commercial and are zoned CPD-Dc-AO, Commercial Planned Development-Design Review within the Aircraft Overflight zone. APN number 052-102-053 is designated as Industrial and is zoned INP-Dc-AO, Industrial Park-Design Review within the Aircraft Overflight zone.

Proposed Use

The redevelopment of the former Bohemia Lumber Company site is proposed to be constructed as a single phase retail development consisting of 155,000 square feet of retail space in a single building. A tenant for the building is not presently identified; however, the building could contain one or more tenants. The tenant(s) could be selected during or after the improvements to the site. The project site plan shows an area that could be configured as an outdoor garden center, material storage, or lumber yard as typical of a home improvement retail use.

The project has the potential for a range of products and services for the retail consumer. The user(s) could be a home improvement center, discount club store, discount superstore or general retailer. Products could vary from those provided at a home improvement center to clothing, electronics, furniture or groceries. A snack bar could be included in the use. A typical feature of a discount club store is a tire and automotive service center performing minor maintenance duties such as oil and fluid changes. Some of the items sold and stored at such facilities include tires, automotive and marine batteries, antifreeze, motor oil, and lubricants. A Hazardous Materials Business Plan that complies with Chapter 6.7 of the California Health and Safety Code and Chapter 8 of the Placer County Code would be prepared for any hazardous items in the tire center including any potentially hazardous materials for sale in any proposed garden center.

The improvements would include new underground utilities, paving, parking, lighting and landscaping. The proposed parking design requirements, circulation and landscaping will conform to Placer County standards as contained in the Placer County Design Guidelines Manual and the Auburn/Bowman Community Plan. There are 717 standard parking stalls, 17 HC accessible spaces including two van accessible stalls. Cart corrals will be used in the parking lot.

The proposed fueling site would have a typical canopy with a kiosk, approximately nine multi purpose dispensers and underground storage tanks. A mini-mart is not proposed. Access to the dispensers is provided from the west side of the canopy location which is south and west of the retail building in the parking field. Motor vehicle access is proposed via the same access serving the retail store.

There are two access points proposed to the development. The primary access for the project will be through the private access easement extending off Highway 49, from the southwest. This access point will be the only vehicular access to the project. The secondary access will be off Canal Street from the southeast and will only be available to pedestrian, bicycle, and emergency vehicles.

Perimeter fencing will be installed for public safety. The portions of the site adjacent to the existing railroad, canals, and the PG&E corporation yard, will be either walled or fenced. A new wood fence will be constructed on the property line along the existing residential lots to the north and along Canal Street to the east. There will be a fenced detention pond area in the northwest portion of the site.

Acreage to be Developed

The combined parcels for the project site consist of 18.62 acres of land. The entire site is expected to be disturbed for project development. The PCWA owned Fiddler Green Canal currently enters the site from the north then heads east to an existing culvert under Canal Street. The canal would be piped underground, re-routed through the site and around the proposed retail building and connected back to the culvert in Canal Street. New easements would be created and existing ones would be abandoned for this work.

Offsite and Utility Work

A new driveway, curb, gutter, sidewalk, and landscape improvements are proposed for Canal Street which will provide the secondary access to the site. PCWA will serve the site with domestic and fire water service. An existing sewer main in Canal Street will serve the site. The project will also take 18 cubic feet per second of storm drainage from Country Club Estates through the site in a previous agreement with Placer County. A new bridge is planned to replace the existing one across Wise Canal. The new bridge will require the approval of PG&E, the owner of Wise Canal.

The project will require significant grading that will cause the export of material from the site. Some retaining walls will be required.

Number of Lots

The site consists of four Assessor's parcels. The number of legal parcels will determine if a request for a Voluntary Lot Merger will be required.

Number of Employees

The project anticipates providing management and retail positions of approximately 200 full and part time employees.

Hours of Operation

Hours of operation are anticipated to be from 6 am to 12 am, seven days a week. The proposed store will have one loading dock area at the southeast corner of the building, which will be accessed by roll-up doors. It is anticipated that approximately six tractor-trailer trucks may deliver merchandise to the store seven days a week throughout the day, two to three of which will include refrigeration units. In addition, six smaller vendor trucks may make deliveries five days a week.

Development Standards

Building Setbacks:

Front, Side and Rear: As required by the CUP

Watercourse Setback: There will be a 100' building setback required from the centerlines of both Fiddler Green Canal and Wise Canal.

Site Coverage: 50 percent maximum of total site area that may be covered by buildings or structures

Building Height: 30' maximum

Requested Entitlements

We request the review and approval of the following entitlements:

1. Conditional Use Permit

2. Design Review



**RECOMMENDED CONDITIONS OF APPROVAL –
CONDITIONAL USE PERMIT - "BOHEMIA RETAIL PROJECT"
(PCPA 20080157)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. This Conditional Use Permit (PCPA 20080157) approved for the construction and operation of a ±155,000 square-foot retail store, a gas station with nine multi-purpose dispensers and a detached kiosk on APN 052-102-012, -013, -017 and -053.
2. This Conditional Use Permit (PCPA 20080157) allows for the following potential tenants: home improvement center (building material stores), discount club store, discount superstore or a general retailer (all considered retail stores, general merchandise). Multiple tenants may occupy the structure concurrently provided the uses are included in the list of “retail stores, general merchandise”, “building materials stores” and “grocery and liquor stores” as defined by the Placer County Zoning Ordinance.
3. Aside from a potential outdoor storage yard or garden center approved through a Design Review Agreement, no outdoor sales or display is proposed or approved with this Conditional Use Permit (CUP). In the event that outdoor sales or display is proposed, a Modification of this CUP must be approved by the Planning Commission.
4. Site access shall occur at the Hulbert/Retail Way intersection with SR49. An emergency vehicle access shall be constructed at Canal Street, which shall be gated to prevent vehicular access to the site.
5. Hours of operation for the project shall be 6:00 AM until 12:00AM, seven days a week.
6. Overnight camping is prohibited on the project site.
7. The project is subject to review and approval by the Placer County Design/Site Review Committee (D/SRC). Such a review shall be conducted prior to the submittal of the Improvement Plans for the project in accordance with Section 17.52.070 (Design Review) of the Placer County Code and shall include, but not be limited to: Architectural colors, materials, and textures of all structures; landscaping; irrigation; signs; exterior lighting; pedestrian and

vehicular circulation; parking; fences and walls; noise attenuation barriers; and open space amenities.

8. This Conditional Use Permit shall be considered exercised pursuant to Section 17.58.160 of the Placer County Code.

IMPROVEMENTS/IMPROVEMENT PLANS

9. Prior to approval of any Improvement Plans, the project applicant shall ensure that the sidewalk network meets Americans with Disabilities Act accessibility requirements, subject to the review and approval by the County Planning Department. (MM 8.10 – PD)

10. Prior to the approval of Improvement Plans, the applicant shall include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of five minutes for all diesel powered equipment. (MM 9.2(c) – PD)

11. Prior to the approval of Improvement Plans, the applicant shall include the following standard note on the Improvement/Grading Plan: The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment. (MM 9.2 (d) – PD)

12. Prior to the approval of Improvement Plans, the applicant shall include the following standard note on the Improvement/Grading Plan: The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary power generators. (MM 9.2(e) – PD)

13. Construction noise emanating from any construction activities is prohibited on Sundays and Federal Holidays, and shall only occur:

- a) Monday through Friday, 6:00 a.m. to 8:00 p.m. (during daylight savings);
- b) Monday through Friday, 7:00 a.m. to 8:00 p.m. (during standard time); and
- c) Saturdays, 8:00 a.m. to 6:00 p.m.

The Planning Director is authorized to waive the construction time frames based on special circumstances, such as adverse weather conditions.

In addition, temporary signs (four feet by four feet) shall be located throughout the project site, as determined by the Design Review Committee, at key intersections depicting the above construction hour limitations. Said signs shall include a toll free public information

phone number where surrounding residents can report violations and the disturbance coordinator will respond and resolve noise violations. This condition shall be included on the Improvement Plans. (MM 10.1(a) – PD)

14. Fixed construction equipment, which may include, but not be limited to, compressors and generators and/or heavy equipment staging areas, shall be located as far away from sensitive receptors, as feasible. All internal combustion engines shall be fitted with factory specified mufflers. In addition, impact tools shall be shielded or shrouded. Intake and exhaust ports of powered construction equipment shall also be muffled or shielded. (MM 10.1(b) – PD)

15. A disturbance coordinator who would receive any public noise-related complaints about construction equipment and practices shall be appointed by the project applicant for the project site. The disturbance coordinator shall be responsible for determining the cause of the complaint(s) and the implementation of any feasible measures to alleviate the complaint(s). The disturbance coordinator's contact information shall be supplied by the project applicant to the Placer County Planning Department, and shall be posted throughout the site and adjacent public spaces. (MM 10.1(c) – PD)

16. Prior to the approval of improvement plans, a noise barrier shall be shown on the plans along the boundary of any residential property line (located to the north, northeast, and east) affected from increased noise levels determined in this Final EIR, for the review and approval of the Placer County Planning Department. A noise barrier six to eight feet in height would be required to reduce future delivery movements and loading dock activity noise levels below the Placer County standards. Barriers could take the form of earth berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other materials may be acceptable provided they have a density of approximately four pounds per square foot. (MM 10.3(a) – PD)

17. Loading and delivery activities shall be limited to the following hours: 6:00 AM to 12:00 AM. These requirements shall be clearly indicated in all contracts between the property owner and truck delivery vendors. (MM 10.3(b) – PD)

18. In the event a home improvement center, or other use which requires an outdoor public address (PA) system, is proposed, the PA system shall not exceed the 75 dB maximum noise level.

19. Parking lot design shall include clearly marked pedestrian pathways between parking facilities and building entrances included in the design. (MM 18.9(c) – PD)

20. During operation, all off-road equipment used at the store for material handling or maintenance shall be natural gas, propane, or electric powered. (MM 18.9(d) – PD)

21. During operation, back-up generators shall run on natural gas only. (MM 18.9(e) – PD)

22. At the time of issuance of building permits, landscaping plans shall provide for tree planting throughout all parking areas to attain 50 percent shading of parking areas within 15 years of building permit issuance. Landscaping plans shall incorporate native and/or drought-resistant species (plants, trees, and bushes) to reduce the demand for use of landscape maintenance equipment. (MM 18.9(f) – PD)

23. Prior to the issuance of building permits for the proposed project, the project applicant shall submit, for review and approval with the Design/Site Review Committee, a Design Review application including building and landscaping plans that demonstrate compliance with the following mitigation measures set forth in Table 18-16 of the DEIR:

- a) Landscaping plans will provide for tree planting throughout all parking areas to attain 50 percent shading of parking areas within 15 years of building permit issuance. Landscaping plans will incorporate native and/or drought-resistant species (plants, trees, and bushes) to reduce the demand for use of landscape maintenance equipment.
- b) Design buildings to be as energy efficient as possible, including the incorporation of solar energy to the maximum extent feasible and to exceed by 20 percent, to the extent feasible, all applicable Title 24 or California Energy Efficiency Standards. Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use;
- c) Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings;
- d) Install light colored “cool” roofs, cool pavements, and strategically placed shade trees;
- e) Install energy efficient heating and cooling systems, appliances and equipment, and control systems;
- f) Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting;
- g) Create water-efficient landscapes;
- h) Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- i) Design buildings to be water-efficient. Install water-efficient fixtures and appliances;
- j) Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff;

- k) Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment (Retaining storm water runoff on-site can drastically reduce the need for energy-intensive imported water at the site);
- l) Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, and concrete, lumber, metal, and cardboard);
- m) Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas;
- n) Demonstrate on Improvement Plans that improved accessibility to the existing pathway infrastructure that leads to and from local services will be provided along the southern boundary of the project site;
- o) Demonstrate on Improvement Plans that the site will provide maximum access and connectivity to the existing Placer County bus shelter at the corner of Luther Road and SR49;
- p) Limit idling time for commercial vehicles, including delivery and construction vehicles;
- q) Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g., electric vehicle charging facilities and conveniently located alternative fueling);
- r) Provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. For large employers, provide facilities that encourage bicycle commuting, including, e.g., locked bicycle storage or covered or indoor bicycle parking;
- s) Create bicycle lanes and walking paths directed to the location of schools, parks, and other destination points; and
- t) Comply with the requirements within the Regulation for the Management of High Global Warming Potential Refrigerants for Stationary Sources in order to reduce the project's potential emissions of high GWP refrigerants.

24. The maximum height for exterior pole lights within the project site shall be 18 feet, except where the lights are adjacent to residential uses, in which case, 14 feet shall be the maximum height allowed. Specifically, the 14-foot height limit shall apply at the Canal Street entrance, along the entire project frontage at Canal Street and along the north property line from the northeast corner of the site to the location of the underground stormwater detention facility.

25. Building lighting shall be shielded and downward directed such that the bulb or ballast is not visible. Lighting fixture design shall compliment the building colors and materials and shall be used to light entries, soffits, covered walkways and pedestrian areas such as plazas. Roof and wall pack lighting shall not be used. Lighting intensity shall be of a level that only

highlights the adjacent building area and ground area and shall not impose glare on any pedestrian or vehicular traffic.

26. The site lighting plan shall demonstrate compliance with the Auburn/Bowman Community Plan and the Placer County Design Guidelines. The night lighting shall be designed to minimize impacts to adjoining and nearby land uses. No lighting, even if temporary, is permitted on top of structures.

27. Consistent with the Placer County Design Guidelines, the east and south elevations of the primary retail structure shall be lined with landscaping or enhanced pedestrian pathways. Planters, vining trellises or other enhancement features are required at the perimeter of the building in these locations.

28. An outdoor public use area (or areas), a minimum of 500 square-feet in size and complete with picnic tables and benches, shall be created on the project site and maintained within a designated landscaped area. The design of this area shall be subject to review and approval during the Design Review process.

29. The applicant shall incorporate a variety of roof types and exterior wall treatments in the project building design.

30. The applicant shall prepare and submit Improvement Plans, specifications and cost estimates (per the requirements of Section II of the Land Development Manual [LDM] that are in effect at the time of submittal) to the Engineering and Surveying Department (ESD) for review and approval. The plans shall show all conditions for the project as well as pertinent topographical features both on- and off-site. All existing and proposed utilities and easements, on-site and adjacent to the project, which may be affected by planned construction, shall be shown on the plans. All landscaping and irrigation facilities within the public right-of-way (or public easements), or landscaping within sight distance areas at intersections, shall be included in the Improvement Plans. The applicant shall pay plan check and inspection fees and Placer County Fire Department Improvement plan review and inspection fees with the 1st Improvement Plan submittal. (NOTE: Prior to plan approval, all applicable recording and reproduction cost shall be paid). The cost of the above-noted landscape and irrigation facilities shall be included in the estimates used to determine these fees. It is the applicant's responsibility to obtain all required agency signatures on the plans and to secure department approvals. If the Design/Site Review process and/or DRC review is required as a condition of approval for the project, said review process shall be completed prior to submittal of Improvement Plans. Record drawings shall be prepared and signed by a California Registered Civil Engineer at the applicant's expense and shall be submitted to the ESD in both hard copy and electronic versions in a format to be approved by the ESD prior to acceptance by the County of site improvements.

Conceptual landscape plans submitted prior to project approval may require modification during the Improvement Plan process to resolve issues of drainage and traffic safety. **(MM 11-2a)(ESD)**

31. All proposed grading, drainage improvements, vegetation and tree removal shall be shown on the Improvement Plans and all work shall conform to provisions of the County Grading Ordinance (Ref. Article 15.48, Placer County Code) that are in effect at the time of submittal. The applicant shall pay plan check fees and inspection fees. No grading, clearing, or tree disturbance shall occur until the Improvement Plans are approved and all temporary construction fencing has been installed and inspected by a member of the DRC. All cut/fill slopes shall be at 2:1 (horizontal:vertical) unless a soils report supports a steeper slope and the Engineering and Surveying Department (ESD) concurs with said recommendation.

The applicant shall revegetate all disturbed areas. Revegetation undertaken from April 1 to October 1 shall include regular watering to ensure adequate growth. A winterization plan shall be provided with project Improvement Plans. It is the applicant's responsibility to assure proper installation and maintenance of erosion control/winterization during project construction. Where soil stockpiling or borrow areas are to remain for more than one construction season, proper erosion control measures shall be applied as specified in the Improvement Plans/Grading Plans. Provide for erosion control where roadside drainage is off of the pavement, to the satisfaction of the ESD.

The applicant shall submit to the ESD a letter of credit or cash deposit in the amount of 110 percent of an approved engineer's estimate for winterization and permanent erosion control work prior to Improvement Plan approval to guarantee protection against erosion and improper grading practices. Upon the County's acceptance of improvements, and satisfactory completion of a one-year maintenance period, unused portions of said deposit shall be refunded to the project applicant or authorized agent.

If, at any time during construction, a field review by County personnel indicates a significant deviation from the proposed grading shown on the Improvement Plans, specifically with regard to slope heights, slope ratios, erosion control, winterization, tree disturbance, and/or pad elevations and configurations, the plans shall be reviewed by the DRC/ESD for a determination of substantial conformance to the project approvals prior to any further work proceeding. Failure of the DRC/ESD to make a determination of substantial conformance may serve as grounds for the revocation/modification of the project approval by the appropriate hearing body. **(MM 11-2b)(ESD)**

32. Water quality Best Management Practices (BMPs), shall be designed according to the California Stormwater Quality Association Stormwater Best Management Practice Handbooks for Construction, for New Development / Redevelopment, and/or for Industrial and Commercial, (and/or other similar source as approved by the Engineering and Surveying Department (ESD)).

Construction (temporary) Best Management Practices for the project include, but are not limited to: Fiber Rolls (SE-5), Hydroseeding (EC-4), Storm Drain Inlet Protection (SE-10), Silt Fence (SE-1), revegetation techniques, and concrete washout areas.

Storm drainage from on- and off-site impervious surfaces (including roads) shall be collected and routed through specially designed catch basins, vegetated swales, vaults, infiltration basins, water quality basins, filters, etc. for entrapment of sediment, debris and oils/greases or other identified pollutants, as approved by the ESD. BMP's shall be designed at a minimum in accordance with the Placer County Guidance Document for Volume and Flow-Based Sizing of Permanent Post-Construction Best Management Practices for Stormwater Quality Protection. Post-development (permanent) Best Management Practices for the project includes, but is not limited to, the following: water quality vaults or basins.

No water quality facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals.

All BMPs shall be maintained as required to insure effectiveness. The applicant shall provide for the establishment of vegetation, where specified, by means of proper irrigation. Proof of on-going maintenance, such as contractual evidence, shall be provided to ESD upon request. Maintenance of these facilities shall be provided by the project owners/permittees unless, and until, a County Service Area is created and said facilities are accepted by the County for maintenance. Prior to Improvement Plan approval, easements shall be created and offered for dedication to the County for maintenance and access to these facilities in anticipation of possible County maintenance. **(MM 11-2c) (MM 12-1b) (ESD)**

33. This project's ground disturbance exceeds one acre and is subject to construction stormwater quality permit requirements of the National Pollutant Discharge Elimination System (NPDES) program. The applicant shall obtain such permit from the State Regional Water Quality Control Board and shall provide to the Engineering and Surveying Department evidence of a state-issued WDID number or filing of a Notice of Intent and fees prior to start of construction. **(MM 11-2d) (ESD)**

34. Staging Areas: Stockpiling and/or vehicle staging areas shall be identified on the Improvement Plans and located as far as practical from existing dwellings and protected resources in the area. **(MM11-2e)(ESD)**

35. This project is located within the area covered by Placer County's municipal stormwater quality permit, pursuant to the National Pollutant Discharge Elimination System (NPDES) Phase II program. Project-related stormwater discharges are subject to all applicable requirements of said permit. BMPs shall be designed to mitigate (minimize, infiltrate, filter, or treat) stormwater runoff in accordance with "Attachment 4" of Placer County's NPDES Municipal Stormwater Permit (State Water Resources Control Board NPDES General Permit No. CAS000004). **(MM 12-1c) (ESD)**

36. The location, size, and ownership of any canals (Fiddler Green Canal and Wise Canal) on or adjacent to the property shall be described in the drainage report and shown on the Improvement Plans. The applicant shall provide the Engineering and Surveying Department (ESD) with a letter from the agency(s) controlling the canal(s) describing any restrictions, requirements, easements, etc. relative to construction of the project. Said letter shall be provided to the ESD prior to the approval of the Improvement Plans. During construction, drainage from the project site shall not enter the Fiddler Green Canal. Measures such as temporary construction fencing shall be placed around the canal to prevent people, animals and debris from entering the canal during construction. Concurrent with the encasement and realignment of the Fiddler Green Canal, a trash rack and spillway shall be constructed at the upstream end of the canal. **(MM 12-2) (ESD)**

37. The project applicant shall prepare and submit with the project Improvement Plans, a drainage report in conformance with the requirements of Section 5 of the Land Development Manual and the Placer County Storm Water Management Manual that are in effect at the time of submittal, to the Engineering and Surveying Department for review and approval. The report shall be prepared by a Registered Civil Engineer and shall, at a minimum, include: A written text addressing existing conditions, the effects of the improvements, all appropriate calculations, a watershed map, increases in downstream flows, proposed onsite and offsite improvements and drainage easements to accommodate flows from this project. The report shall identify water quality protection features and methods to be used both during construction and for long-term post-construction water quality protection. Best Management Practice (BMP) measures shall be provided to reduce erosion, water quality degradation, and prevent the discharge of pollutants to stormwater to the maximum extent practicable. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM 12-1a) (ESD)**

38. All storm drain inlets and catch basins within the project area shall be permanently marked/embossed with prohibitive language such as "No Dumping! Flows to Creek" or other language as approved by the Engineering and Surveying Department (ESD) and/or graphical icons to discourage illegal dumping. Message details, placement, and locations shall be included on the Improvement Plans. The property owner is responsible for maintaining the legibility of these messages. **(MM 12-3a)(ESD)**

39. All stormwater runoff shall be diverted around trash storage areas to minimize contact with pollutants. Trash container areas shall be screened or walled to prevent off-site transport of trash by the forces of water or wind. Trash containers shall not be allowed to leak and must remain covered when not in use. **(MM 12-3b) (ESD)**

40. Materials with the potential to contaminate stormwater that are to be stored outdoors shall be placed in an enclosure such as, but not limited to, a cabinet, shed, or similar structure that prevents contact with runoff or spillage to the stormwater conveyance system, or protected by secondary containment structures such as berms, dikes, or curbs. The storage area shall be paved to contain leaks and spills and shall have a roof or awning to minimize collection of stormwater within the secondary containment area. **(MM 12-3c)(ESD)**

41. Loading dock areas shall be covered and run-on and/or runoff of stormwater to the dock area shall be minimized. Direct connections to storm drains from depressed loading docks (truck wells or sumps) are prohibited. **(MM 12-3d)(ESD)**

42. The fuel dispensing area shall be covered with an overhanging roof structure or canopy. The canopy shall not drain onto the fuel dispensing area, and the canopy downspouts must be routed to prevent drainage across the fueling area. The fuel dispensing area shall be paved with Portland cement concrete and have a minimum 2 percent slope, with separation from the rest of the site by a grade break to prevent runoff of stormwater. **(MM 12-3e)(ESD)**

43. The following off-site drainage facilities shall be evaluated in the drainage report for condition and capacity and shall be upgraded, replaced, or mitigated as specified by the Engineering and Surveying Department: **(MM 12-3f)(ESD)**

- a) The existing downstream 36-inch storm drain system from the point of connection to State Route 49; and
- b) The existing 42-inch storm drain pipe crossing State Route 49.

44. Storm water run-off shall be reduced to pre-project conditions through the installation of retention/detention facilities. Retention/detention facilities shall be designed in accordance with the requirements of the Placer County Storm Water Management Manual that are in effect at the time of submittal, and to the satisfaction of the Engineering and Surveying Department (ESD). The ESD may, after review of the project drainage report, delete this requirement if it is determined that drainage conditions do not warrant installation of this type of facility. In the event on-site detention requirements are waived, this project may be subject to payment of any in-lieu fees prescribed by County Ordinance. No retention/detention facility construction shall be permitted within any identified wetlands area, floodplain, or right-of-way, except as authorized by project approvals. **(MM 12-3g)(ESD)**

45. Submit to the Engineering and Surveying Department, for review and approval, a geotechnical engineering report produced by a California Registered Civil Engineer or Geotechnical Engineer. The report shall address and make recommendations on the following:

- a) Road, pavement, and parking area design
- b) Structural foundations, including retaining wall design (if applicable)

- c) Grading practices
- d) Erosion/winterization
- e) Special problems discovered onsite, (i.e., groundwater, expansive/unstable soils, etc.)
- f) Slope stability

Once approved by the Engineering and Surveying Department, two copies of the final report shall be provided to the Engineering and Surveying Department and one copy to the Building Department for their use. If the soils report indicates the presence of critically expansive or other soils problems which, if not corrected, could lead to structural defects, a certification of completion of the requirements of the soils report will be required prior to issuance of Building Permits. It is the responsibility of the developer to provide for engineering inspection and certification that earthwork has been performed in conformity with recommendations contained in the report. **(MM 11-3)(ESD)**

46. Prior to Improvement Plan approval, the applicant shall submit an engineer's estimate detailing costs for facilities to be constructed with the project which are intended to be County-owned or maintained. County policy requires the applicant prepare their cost estimate(s) in a format that is consistent with the Governmental Accounting Standards Board, 34th Standard (GASB 34). The engineer preparing the estimate shall use unit prices approved by the DPW for line items within the estimate. The estimate shall be in a format approved by the County and shall be consistent with the guidelines of GASB 34. **(ESD)**

47. Provide the Engineering and Surveying Department with a letter from the appropriate fire protection district describing conditions under which service will be provided to this project. Said letter shall be provided prior to the approval of Improvement Plans, and a fire protection district representative's signature shall be provided on the plans. **(MM 13-5) (ESD)**

48. Extend a pressurized water system to the site to County (Section 7 of the LDM), fire district, or PCWA standards, whichever are greater. **(ESD)**

ROADS/TRAILS

49. The project applicant shall be responsible for constructing the following improvements on northbound New Airport Drive:

- a) Widen northbound New Airport Drive to provide an exclusive left-turn lane; and
- b) Modify the signal to accommodate right-turn overlap phasing for northbound New Airport Road.

This intersection is not included in the improvements list outlined within the Countywide Capital Improvement Program (CIP), Placer County, July 2007. The above improvements would improve "Plus Project" traffic operations back to "No Project" v/c levels. **(MM 8-2)(ESD)**

50. Construct an emergency vehicle access driveway onto Canal Street to a Plate R-12, LDM standard with turning radii and driveway width designed per the specifications of the servicing fire district. (ESD)

51. Bell Road/New Airport Drive: Prior to the approval of Improvement Plans, the project applicant shall pay the applicable fair share fee towards the following improvement to the intersection at Luther Road/Canal Street in order to relieve predicted reductions in the LOS for the two arterial roadway segments that would result from the implementation of the Short Term Plus Project development scenario: **(MM 8-3b)(ESD)**

- a) Signalize the Intersection.

52. SR 49 between Bell Road and Willow Creek Drive: Prior to the approval of Improvement Plans, the project applicant shall pay the applicable CIP or fair share fee(s) towards the following improvements to the intersection at SR 49 / Bell Road: **(MM 8-4a)(ESD)**

- a) Restripe the existing northbound (SR 49) right-turn lane between Bell Road and Willow Creek Road to a through-right lane.
- b) Widen the southbound (SR 49) approach to include a 300-foot right-turn lane; with this improvement the southbound approach will include two left-turn lanes, two through lanes, and one right-turn only lane.
- c) Construct appropriate additional receiving lanes as required to accommodate the above improvements.

53. SR 49 between Marguerite Mine Road and Edgewood: Prior to the approval of Improvement Plans, the project applicant shall pay the applicable CIP or fair share fee(s) towards the following improvements to the intersection at SR 49 / Marguerite Mine Road: **(MM 8-4b)(ESD)**

- a) Widen the southbound SR 49 segment from two through lanes to three through lanes on the southbound approach between Edgewood Road and Nevada Street/Marguerite Mine Road in order to improve the southbound intersection approach geometrics at SR 49/Nevada Street/Marguerite Mine Road to include one left-turn lane, two through lanes, and a shared through-right turn lane.

54. Northbound left at the intersection of SR 49/Dry Creek Road: Prior to the approval of Improvement Plans, the project applicant shall pay the applicable CIP or fair share fee(s) towards the following improvement to study area queue lengths: **(MM 8-6a)(ESD)**

- a) Increase the northbound left storage length at the intersection of SR 49/Dry Creek Road to 350 feet, which shall be accomplished by re-striping the roadway.
- b) Southbound left at the intersection of SR 49/Bell Road and southbound through/through-right at the intersection of SR 49/Bell Road

55. Northbound through/through-right at the intersection of SR 49/Edgewood Road: Prior to the approval of Improvement Plans, the project applicant shall pay the CIP or fair share fee(s) for the following improvement to the study area queue lengths: **(MM 8-6c)(ESD)**

- a) Improve the northbound approach at SR 49/Edgewood Road to include one left-turn lane, two through lanes, and an exclusive right-turn lane.

56. Southbound through/through-right at the intersection of SR 49/Nevada Street/Marguerite Mine Road: Prior to the approval of Improvement Plans, the project applicant shall pay the CIP or fair share fee(s) for the following improvements to the study area queue: **(MM 8-6d)(ESD)**

- a) Improve the southbound approach at SR 49/Marguerite Mine Road to include one left turn lane, two through lanes, and a shared through right-turn lane.

57. Undercrossing Road/I-80 EB ramps: Prior to approval of Improvement Plans, the project applicant shall pay the applicable CIP or fair share fee(s) towards the following improvements to the intersection at Undercrossing Road/I-80 eastbound ramps: **(MM 18-5b)(ESD)**

- a) Signalize the intersection; and
- b) Provide split phasing for the eastbound and westbound approaches.

58. Luther Road/Bowman Road: Prior to approval of Improvement Plans, the project applicant shall pay the applicable CIP or fair share fee(s) towards the following improvements to the intersection at Luther Road/Bowman Road: **(MM 18-5d)(ESD)**

- a) Signalize the intersection.

59. SR 49/Bell Road: Prior to the approval of Improvement Plans, the project applicant shall pay the applicable fairshare payment towards the following improvement to the intersection located at SR 49/Bell Road: **(MM 18-5e)(ESD)**

- a) Provide an exclusive right-turn lane in the northbound approach. With the addition of the exclusive right-turn lane, the northbound approach would include one left-turn lane, three through lanes, and an exclusive right turn lane.

60. SR 49 between Willow Creek Drive and Bell Road: Prior to the approval of Improvement Plans, the project applicant shall pay a fair share contribution towards the following improvements to arterial roadway segment of SR 49 between Willow Creek Drive and Bell Road: **(MM 18-6)(ESD)**

- a) Provide an exclusive right-turn lane in the northbound approach with this improvement, the northbound approach at SR 49/Bell Road would include one left turn lane, three through lanes, and an exclusive right-turn lane.

61. SR 49 / Dry Creek Road: Prior to the approval of Improvement Plans, the project applicant shall pay a fair share contribution towards the following improvements to study area queue lengths

in order to offset predicted impacts resulting from implementation of the Cumulative Plus Project scenario (Options 1 and 2): **(MM 18-8a)(ESD)**

- a) Increase the northbound left storage length at the intersection of SR 49/Dry Creek Road to 350 feet, which could be accomplished by re-striping (Note: this improvement is already required at the project level per Mitigation Measure 8-6(a)); and
- b) Increase the northbound left storage length at the intersection of SR 49/Dry Creek Road to 350 feet, which could be accomplished by re-striping.

62. SR 49 / Willow Creek Drive: Prior to the approval of Improvement Plans, the project applicant shall pay a fair share contribution towards the following improvements to study area queue lengths in order to offset predicted impacts resulting from implementation of the Cumulative Plus Project scenario (Options 1 and 2): **(MM 18-8b)(ESD)**

- a) Increase the northbound left storage length at SR 49/Willow Creek Drive to 300 feet, which could be accomplished by re-striping.

63. Submit, for review and approval, a striping and signing plan with the project Improvement Plans. The plan shall include all on- and off-site traffic control devices and shall be reviewed by the County Traffic Engineer. A construction signing plan shall also be provided with the Improvement Plans for review and approval by the County Traffic Engineer. **(MM 8-1)(ESD)**

64. Final approval of on-site and off-site waterline, sewerline, and storm drain routes must be obtained from the DRC. **(ESD)**

65. All on-site parking and circulation areas shall be improved with a minimum asphaltic concrete or Portland cement surface capable of supporting anticipated vehicle loadings.

It is recommended that the pavement structural section be designed in accordance with recommendations of a soils/pavement analysis and should not be less than 2" AC over 4" Class 2 AB, or the equivalent. **(ESD)**

66. Prior to Improvement Plan approval, obtain an Encroachment Permit from Caltrans for any work proposed within the State Highway right-of-way. A copy of said Permit shall be provided to the ESD prior to the approval of the Improvement Plans. Provide right-of-way dedications to the State, as required, to accommodate existing and future highway improvements.

Caltrans will not issue an Encroachment Permit for work within their right-of-way for improvements (other than signals, road widening, striping and signing) without first entering into a Landscape Maintenance Agreement with the County. This agreement allows for private installation and maintenance of concrete curb/gutters, sidewalks, trails, landscaping and/or irrigation within Caltrans' right-of-way. A similar agreement between the County and the applicant is required prior to the County entering into the agreement with Caltrans. If applicable,

both of these maintenance agreements shall be executed prior to approval of the Improvement Plans.

PUBLIC SERVICES

67. Provide to DRC “will-serve” letters from the following public service providers prior to Improvement Plan approvals, as required:

- a) PG&E
- b) PCWA
- c) Placer County Sewer Maintenance District #1 (SMD 1) (see Will Serve Requirements Letter dated April 19, 2010)
- d) Franchised refuse collector for weekly or more frequent refuse collection service.

If such “will serve” letters were obtained as a part of the environmental review process, and are still valid, (received within one year) they shall not be required again. **(ESD)**

68. Prior to the approval of the Improvement Plans, provide the DRC with proof of notification (in the form of a written notice or letter) of the proposed project to: **(ESD)**

- a) Placer Union High School District
- b) Auburn Union School District
- c) The Placer County Sheriff's Office **(MM 13-6)**

69. Prior to approval of Improvement Plans, the project applicant shall receive a water availability letter from PCWA confirming adequate water supply and system service capacity exists to serve the proposed project. In addition, the project applicant shall submit water system improvement plans for review and approval by PCWA. Prior to the County's approval of the Improvement Plans, the applicant shall obtain approval from PCWA. The project applicant shall fund and construct all necessary water system improvements needed for the project and comply with PCWA requirements and standards. **(MM13-1)**

70. Prior to Improvement Plan approval, the applicant shall submit with the Improvement Plans a final Master Sanitary Sewer Study prepared by a registered California Civil Engineer which depicts future extension of public sewer to serve the project and diversion of the Country Club Estates Residential Diversion (275 EDUs) to an existing line located on New Airport Road, subject to approval by the Engineering and Surveying Department and Facility Services Environmental Engineering Division. This is to allow the flows to be diverted around the Highway 49 siphon. This study, at minimum, shall provide pipe sizing for pipe segments which may potentially need to be upsized prior to the Bohemia Retail Project and/or the Residential Diversion diverting flows to the New Airport Road sewer line. The applicant shall be required to complete the following: **(MM13-2a)(ESD)**

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- a) Design the sewer alignment to divert flows to an existing line located on New Airport Road to accommodate the flows from the 275 EDUs of the Residential Diversion from the existing system located to the northeast of the property in order to bypass the Highway 49 siphon.
- b) Construct the sewer alignment to New Airport Road and procure the required easements from PG&E and UPRR. The applicant will consider constructing the entire alignment to New Airport Road for all portions that they have access to at the time of construction of the Bohemia Retail Project. Paved access is required to all sewer manholes and will be shown on the Improvement Plans for review and approval by the Engineering and Surveying Department and the Facility Services Environmental Engineering Division. As a portion of the alignment is offsite, any exceptions to this requirement are subject to the review and approval by the Engineering and Surveying Department and the Facility Services Environmental Engineering Division.
- c) In the event the connection of the sewer to New Airport Road is not completed in time to connect the project due to a delay in acquiring the required easements from PG&E and UPRR, the applicant may construct a temporary connection to Canal Street to be utilized by the proposed retail project and must be abandoned when the connection to New Airport Road is available. The project will construct the sewer alignment to New Airport Road as described in part b above and will provide a valve in the line which may be accessed at the time the New Airport Road connection is complete in order to divert the flows from the proposed retail project and the 275 EDUs from the Residential Diversion. The placement of the valve and alignment of the sewer line are subject to approval by the Facility Services Environmental Engineering Division.
- d) In the event there are segments of pipeline which must be upsized in the Highway 49 trunk line from downstream of the siphon to the SMD-1 Wastewater Treatment Plant in order to accommodate the diversion of the 275 EDUs from the Residential diversion, the project will construct the sewer alignment to New Airport Road as described in part b. above and will provide a valve in the line which may be accessed at the time the New Airport Road connection is complete and the Highway 49 trunk line segments of pipeline have been upsized to accommodate the diversion of the 275 EDUs from the Residential Diversion. The placement of the valve and alignment of the sewer line are subject to approval by the Facility Services Environmental Engineering Division.

71. The applicant shall implement an off-site mitigation program to offset the project's increase in peak wet weather flow from their project. The offsite mitigation program shall be coordinated and approved by the Placer County Facility Services Environmental Engineering Division. The off-site mitigation program will replace and/or rehabilitate sewer infrastructure to, in effect, create capacity within the existing system equivalent to this project's peak wet weather flows as determined by the Environmental Engineering Division. In lieu of implementing an off-site mitigation program, the applicant may pay a fee of four thousand dollars (\$4,000.00) per EDU (the "Mitigation Fee") prior to sewer improvement plan approval as a temporary measure pending further studies and adoption by the Board of Supervisors of a Sewer Maintenance District No. 1 mitigation fee (the "Mitigation Fee"). The Mitigation Fee is intended as an estimate of those funds necessary to offset the project's peak wet weather flows. The Environmental Engineering Division will use this money to reduce inflow and infiltration within the existing Sewer Maintenance District No. 1 by replacement, and/or rehabilitation of existing sewer infrastructure. In the event the Board of Supervisors adopts the Mitigating Fee by December 31, 2010 and the adopted Mitigation Fee is less than the \$4,000.00 per EDU Fee, Developer shall be entitled to a refund of the difference if the Developer submits a request in writing therefore by June 30, 2011. **(MM13-2a)(ESD)**

72. The project will construct a connection to Manhole AC4-08 to the proposed new sewer line through the project in order to abandon an existing back-lot sewer line (Dyer Court) at the property's north boundary subject to approval by the Facility Services Environmental Engineering Division. SMD No. 1 will be fully responsible for the cost of this line that transports only wastewater generated from offsite (the connection to Dyer Court).

73. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from Placer County Facility Services, Special Districts indicating that the district can and will provide sewerage service to the project. Connection of this project to sanitary sewers is required. **(EHS)**

74. Prior to the approval of the Improvement Plans, submit to EHS a "will-serve" letter from the franchised refuse collector for weekly or more frequent refuse collection service. The owner or occupant of each lot shall subscribe to weekly mandatory refuse collection services from the refuse collection franchise holder. **(EHS)**

75. Prior to the approval of the Improvement Plans, submit to EHS, for review and approval, a "will-serve" letter from Placer County Water Agency for domestic water service. The applicant shall connect the project to this treated domestic water supply. **(EHS)**

GENERAL DEDICATIONS/EASEMENTS

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76. Provide the following easements/dedications on the Improvement Plans to the satisfaction of the Engineering and Surveying Department (ESD) and DRC:

- a) Public utility easements as required by the serving utilities. **(ESD)**
- b) Drainage easements as appropriate. **(ESD)**
- c) Landscape easements as appropriate. **(ESD)**
- d) Provide private easements for existing or relocated water lines, service/distribution facilities, valves, etc., as appropriate. **(ESD)**
- e) Provide an Irrevocable Offer of Dedication on the Improvement Plans to the satisfaction of the Engineering and Surveying Department and Design Review Committee for easements as required for access to, and protection and maintenance of post-construction water quality enhancement facilities (Best Management Practices). Said facilities shall be privately maintained until such time as the Board of Supervisors accepts the offer of dedication. **(ESD)**
- f) Fire protection and access easements as required by the servicing fire district. **(ESD)**
- g) Dedicate 12.5' multi-purpose easements adjacent to all highway easements. **(ESD)**

VEGETATION & OTHER SENSITIVE NATURAL AREAS

77. Prior to the issuance of a grading permit, the project applicant shall be responsible for retaining a qualified biologist to conduct a focused spring bloom survey to determine the presence or absence of Brandegee's clarkia (*Clarkia biloba* spp. Brandegeae). The survey shall be conducted by a qualified biologist during the identification periods for the Brandegee's clarkia. If the species is not found to be present during the focused bloom survey, then no further action is required. However, if Brandegee's clarkia is found, a mitigation plan conceived from consultation with the California Department of Fish & Game shall be prepared and submitted to the County. The plan shall detail the various mitigation approaches to ensure no net loss of the special-status plant. Mitigation could include, but would not be limited to, avoidance of the plant species, salvage of plant materials where possible, acquisition of credits at an approved mitigation bank, or acquisition and preservation of property that supports the plant species. (MM 5.1 – PD)

78. If project development activities occur during the breeding season for any of these species, a pre-construction survey shall be conducted by a qualified biologist no more than 30 days prior to any ground disturbance activity. The CDFG considers the breeding season of protected bird species to be January 1 to August 31 of any given year.

Prior to the initiation of any construction activities, the project applicant shall be responsible to coordinate with the CDFG for the pre-construction survey(s) and implementing any measures required to avoid disturbance to the Cooper's hawk, red-tailed hawk, red-shouldered hawk, white-tailed kite, American kestrel, golden eagle, and other "raptor" species, as well as the purple martin, horned lark and yellow warbler. If any active nests or burrows of such species are found to be on-site, construction activities shall not occur within 500 feet of the nest until the young have fledged. If determined by a qualified biologist, other restrictions may be imposed on construction activities in the vicinity of any active nest(s). If construction activities are scheduled outside of the breeding period, then a pre-construction survey is not required. (MM 5.2 – PD)

79. Prior to issuance of a grading permit, pre-construction burrowing owl surveys shall be conducted by a qualified biologist, within a 30 day period, preceding the initiation of construction activities on the project site. The pre-construction burrowing owl survey shall be conducted within 250 feet of the project site boundary. Presence or signs of burrowing owls and all potentially occupied burrows shall be recorded and monitored according to CDFG and California Burrowing Owl Consortium guidelines. If burrowing owls are not detected by sign or direct observation, further mitigation is not necessary. If burrowing owls are detected, the project applicant shall implement Mitigation Measure 5-3(b). (MM 5.3(a) – PD)

80. Prior to initiation of any construction activities, during the non-breeding season (September 1 through January 31), a non-disturbance buffer of 160 feet, and during the nesting season (February 1 to August 31), a non-disturbance buffer of 250-feet shall be established around each burrow with an active nest until the young have fledged and are able to exit the burrow, as determined by a qualified biologist. In the case of occupied burrows without active nesting, active burrows after the young have fledged, or if development commences after the breeding season, passive relocation, which involves installing a one-way door at the burrow entrance to encourage the owls to move from the occupied burrow of the owls, shall be performed. The CDFG shall be consulted for current guidelines and methods for passive relocation of any owls found on the site. (MM 5.3(b) – PD)

81. The project applicant shall be responsible for retaining a qualified biologist to conduct focused surveys for the western pond turtle and the California horned lizard species prior to the development of the proposed project. The focused surveys shall be conducted during the respective breeding season for each species. If either species is found to be present on the project site, the project applicant shall be responsible to notify and coordinate with the CDFG for expert advice and regulatory guidance for further action. (MM 5.4 – PD)

82. Prior to approval of the Improvement Plans, the applicant shall submit to the Placer County Tree Preservation Fund payment in the amount of \$65,180 for impacts to oak

woodlands. If changes in the project are required during the Improvement Plan process, this figure may be altered provided that it is consistent with County policy. This payment must be received prior to any site disturbance. (MM 5.5 – PD)

83. To the extent feasible, the project applicant shall be responsible for the preservation of on-site water resources. If on-site preservation is not possible, the project applicant shall be responsible to coordinate with the USACE for an in-lieu fee program, which may include, but not be limited to, a local resource conservation bank, to offset the 0.05 acres of seasonal wetland (jurisdictional Waters of the U.S.) from project implementation. The required ratio for restoration of impacts to the 0.05 acres of seasonal wetland shall be determined by the resource agencies as part of the permitting process. (MM 5.6(a) – PD)

84. Prior to the approval of Improvement Plans, the applicant shall apply for a USACE Nationwide 39 Permit. If granted, the project applicant shall be responsible to ensure that all development activities adhere to the permit terms and requirements. (MM 5.6(b) – PD)

85. Subsequently, and also prior to the approval of Improvement Plans, the project applicant shall apply for a USACE pre-construction notification. If granted, the project applicant shall be responsible to ensure that all development activities adhere to the permit terms and requirements. (MM 5.6(c) – PD)

CULTURAL RESOURCES

86. During ground disturbance activities, if any earth-moving activities uncover any concentrations of stone, bone or shellfish, any artifacts of these materials, or any evidence of fire (ash, charcoal, fire altered rock, or earth), work shall be halted in the immediate area of the find and shall not be resumed until after a qualified archaeologist, in coordination with the County Planning Department, has inspected and evaluated the deposit and determined the appropriate means of curation. (MM 6.2(a) – PD)

87. During construction, if any bone is uncovered that appears to be human, the County Coroner shall be notified. Should human remains be found, all work shall be halted until final disposition by the Coroner. Should the remains be determined to be of Native American descent, the Native American Heritage Commission shall be contacted to identify most likely descendants. A note which includes the wording of this condition shall be included on the Improvement Plans. (MM 6.2(b) – PD)

FEES

88. Pursuant to Section 21089 (b) of the California Public Resources Code and Section 711.4 et. Seq. of the Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified fees are paid. The fees required are \$2,842.00 for projects with Environmental Impact Reports. Without the appropriate fee, the Notice of Determination is not operative, vested or final and shall not be accepted by the County Clerk. **NOTE: The above fee shall be submitted to the Planning Department within 5 days of final project approval.** (PD

89. This project will be subject to the payment of traffic impact fees that are in effect in this area (Auburn Bowman Benefit District), pursuant to applicable Ordinances and Resolutions. The applicant is notified that the following traffic mitigation fee(s) will be required and shall be paid to Placer County DPW prior to issuance of any Building Permits for the project:

- a) County Wide Traffic Limitation Zone: Article 15.28.010, Placer County Code

The current total combined estimated fee is \$1,684,160 based on a 155,000 square foot building and 18 fueling stations. The fees were calculated using the information supplied. If either the use or the square footage changes, then the fees will change. The fees to be paid shall be based on the fee program in effect at the time the application is deemed complete. **(MM 18-5f)(ESD)**

ENVIRONMENTAL HEALTH

90. Prior to approval of Improvement Plans, the project applicant shall receive a water availability letter from PCWA confirming adequate water supply and system service capacity exists to serve the proposed project. In addition, the project applicant shall submit water system improvement plans for review and approval by PCWA. Prior to the County's approval of the Improvement Plans, the applicant shall obtain approval from PCWA. The project applicant shall fund and construct all necessary water system improvements needed for the project and comply with PCWA requirements and standards. **(EHS)(MM 13-1)**

91. Prior to final occupancy approval, the property owner or occupant shall submit a Hazardous Materials Project/Business Activities Screening Form to Environmental Health Services for review and approval. Please note that "Hazardous" materials, as defined in California Health and Safety Code Division 20, Chapter 6.95, Articles 1 & 2, shall not be allowed on any premises in regulated quantities without notification to EHS. **(EHS)**

92. This project shall comply with the hazardous waste generator and hazardous waste management requirements of the California Health & Safety Code, Chapter 6.5 and the California Code of Regulations, Title 22. **(EHS)**

93. Prior to opening for business, the applicant/operator shall contact EHS, pay required fees, and obtain an underground storage tank operating permit. All underground storage tank system operations shall

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comply with the requirements of Placer County Code, the California Code of Regulations and the California Health and Safety Code. **(EHS)**

94. The project applicant shall comply with the Placer County permit conditions and State regulations (Title 23, Chapter 16), as well as State Fire Codes for the installation and operation of the underground storage tanks. Implementation of the aforementioned requirements shall include, but not be limited to, the following components:

- a) To be conducted by a qualified and licensed contractor
- b) Secondary containment for all tank penetrations
- c) Double wall vent and vapor lines, with crash protection post for vent risers
- d) Watertight tank sump lids and watertight traffic grade manways
- e) Overfill prevention equipment
- f) Traffic-rated drainways between the dispenser islands leading to an oil-water separator
- g) Underground storage tank lead detection system (automated) with positive shutdown
- h) Testing and monitoring including manual inspection of the underground storage tank system
- i) Periodic inspections of underground storage tanks by the local fire department
- j) Proven emergency response plan for potential spills
- k) Prompt reporting of the discovery of a leaking or ruptured tank system or major surface spill and
- l) Employee training for spill prevention, clean up, and reporting. **(EHS)(MM 14-1(b))**

95. Curbing around the perimeter of the fueling station shall be high enough to prevent off-site migration of a surface spill of up to 100 gallons of fuel. **(EHS)**

96. The oil and water separator shall be located and sized such that a surface spill of up to 100 gallons of fuel will be contained on-site and the site shall be sloped such that any accidental release will flow to the oil and water separator. **(EHS)**

97. Prior to Improvement Plans approval, provide a Plan Note on the Improvement Plans indicating destruction, under permit and inspection, of any existing well(s) and septic system(s) located within the project site. **(EHS)**

98. Prior to Final Map approval, complete the proper destruction under permit and inspection, of any existing well(s) and septic system(s) located within the project site. **(EHS)**

99. The drilling of individual water wells on any lot within the project area is prohibited. **(EHS)**

100. The discharge of fuels, oils, or other petroleum products, chemicals, detergents, cleaners, or similar chemicals to the surface of the ground or to drainage ways on or adjacent to the site is prohibited. **(EHS)**

101. In order to discourage the breeding of mosquitoes which have the potential to cause disease to humans and other hosts, the project proponent shall abide by the Placer Mosquito Abatement District construction guidelines for stormwater detention systems. The Placer Mosquito Abatement District shall review the improvement plans. **(EHS)(MM VII.8)**

102. If at any time during excavation, grading, or during the course of constructing the proposed project, evidence of soil or groundwater contamination with hazardous materials is encountered, the applicant shall immediately stop the project and contact the EHS Hazardous Materials Section. The project shall remain stopped until there is resolution of the contamination problem to the satisfaction of EHS and the Central Valley Regional Water Quality Control Board. A note to this effect shall be placed on the Improvement Plans. **(EHS)**

103. Prior to Building Permit issuance or tenant improvement for a food facility, the applicant/operator shall contact EHS, pay required fees, and apply for a plan check. Submit to EHS for review and approval complete construction plans and specifications as specified by EHS. **(EHS)**

104. Prior to a food facility opening for business, the applicant/operator shall contact EHS, pay required fees, and obtain a permit to operate a food facility. All food handling operations shall comply with the requirements of Placer County Code and the California Retail Food Code. **(EHS)**

105. If Best Management Practices are required by the Engineering and Surveying for control of urban runoff pollutants, then any hazardous materials collected during the life of the project shall be disposed of in accordance with all applicable hazardous materials laws and regulations. **(EHS)**

106. During construction, temporary storage and use of hazardous substances shall comply with Fire and EHS regulations and requirements, and spill prevention practices shall be used. **(EHS)**

107. The project proponent shall submit to the Placer County Environmental Health Services a Hazardous Materials Business Plan (HMBP) detailing the quantity of hazardous materials (fuels, oils, solvents, batteries) and waste that would be kept at the station. The HMBP shall include spill prevention measures, as well as procedures for the proper cleanup and disposal for all hazardous materials and waste transported, stored, used, or sold onsite. In addition to the HMBP, the project proponent, shall also submit complete construction plans to be reviewed by the Environmental Health Services prior to the approval of grading permits. The payment of all applicable fees shall also be submitted to the Environmental Health Services when construction plans are submitted.

108. The proponent shall submit to Environmental Health Services a Hazardous Materials Business Plan (HMBP) detailing the quantity of fuels, oils, solvents, and batteries that will be kept on hand. The HMBP will include procedures for the cleanup of hazardous materials used in this business facility. The project proponent will submit with payment of all applicable fees to Environmental Health Services complete construction plans of the underground storage tanks for the proposed gasoline station.

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Construction

109. a) Prior to approval of Grading/Improvement Plans, the applicant shall submit a Construction Emission / Dust Control Plan to the Placer County APCD. This plan must address the minimum Administrative Requirements found in section 300 and 400 of APCD Rule 228, Fugitive Dust. The applicant shall not break ground prior to receiving APCD approval of the Construction Emission / Dust Control Plan. **(APCD) MM 9-1 (a)**

b) Include the following standard note on the Improvement/Grading Plan: The prime contractor shall submit to the District a comprehensive inventory (i.e. make, model, year, emission rating) of all the heavy-duty off-road equipment (50 horsepower or greater) that will be used an aggregate of 40 or more hours for the construction project. The inventory shall be updated, beginning 30 days after any initial work on site has begun, and shall be submitted on a monthly basis throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least three business days prior to the use of subject heavy-duty off-road equipment, the project representative shall provide the District with the anticipated construction timeline including start date, and name and phone number of the property owner, project manager, and on-site foreman. **(APCD)**

c) Prior to approval of Grading/Improvement Plans, the applicant shall provide written calculation to the Placer County APCD for approval by the District demonstrating that the heavy-duty (> 50 horsepower) off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NOx reduction and 45 percent particulate reduction compared to the most recent CARB fleet average. Acceptable options for reducing emissions may include use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available. **(APCD)**

110. Include the following standard note on the Improvement/Grading Plan: Construction equipment exhaust emissions shall not exceed District Rule 202 Visible Emission limitations. Operators of vehicles and equipment found to exceed opacity limits are to be immediately notified by APCD to cease operations and the equipment must be repaired within 72 hours. Additional information regarding Rule 202 can be found at: <http://www.placer.ca.gov/Departments/Air/Rules.aspx> **(APCD) MM 9-1(d)**

111. Include the following standard note on the Improvement/Grading Plan: The contractor shall suspend all grading operations when fugitive dust exceeds Placer County APCD Rule 228 (Fugitive Dust) limitations. The prime contractor shall be responsible for having an individual who is CARB-certified to perform Visible Emissions Evaluations (VEE). This individual shall evaluate compliance with Rule 228 on a weekly basis. It is to be noted that fugitive dust is not

to exceed 40% opacity and not go beyond property boundary at any time. If lime or other drying agents are utilized to dry out wet grading areas they shall be controlled as to not to exceed Placer County APCD Rule 228 Fugitive Dust limitations. **(APCD) MM 9-1(b)**

112. Prior to approval of Grading/Improvement Plans, an enforcement plan shall be established, and submitted to the APCD for review, in order to weekly evaluate project-related on-and-off- road heavy-duty vehicle engine emission opacities, using standards as defined in California Code of Regulations, Title 13, Sections 2180 – 2194. An Environmental Coordinator, hired by the prime contractor or property owner, and who is CARB-certified to perform Visible Emissions Evaluations (VEE), shall routinely evaluate project related off-road and heavy duty on-road equipment emissions for compliance with this requirement. Operators of vehicles and equipment found to exceed opacity limits will be notified by APCD and the equipment must be repaired within 72 hours. **(APCD) MM 9-2(b)**

113. Include the following standard note on the Improvement/Grading Plan: During construction, no open burning of removed vegetation shall be allowed. All removed vegetative material shall be either chipped on site or taken to an appropriate disposal site. **(APCD) MM 9-1(e)**

114. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall be responsible for keeping adjacent public thoroughfares clean of silt, dirt, mud, and debris, and shall “wet broom” the streets if silt, dirt, mud or debris is carried over to adjacent public thoroughfares. Dry mechanical sweeping is prohibited. **(APCD) MM 9-1(f)**

115. Include the following standard note on the Improvement/Grading Plan: During construction, traffic speeds on all unpaved surfaces shall be limited to 15 miles per hour or less. **(APCD) MM 9-1(g)**

116. Include the following standard note on the Improvement/Grading Plan: The prime contractor shall suspend all grading operations when wind speeds (including instantaneous gusts) exceed 25 miles per hour and dust is impacting adjacent properties. **(APCD) MM 9-1(c)**

117. Include the following standard note on the Improvement/Grading Plan: The contractor shall apply water to control dust, as required by Rule 228, Fugitive Dust, to prevent dust impacts offsite. Operational water truck(s), shall be onsite, at all times, to control fugitive dust. Construction vehicles leaving the site shall be cleaned to prevent dust, silt, mud, and dirt from being released or tracked off-site. **(APCD) MM 9-1(h)**

118. Include the following standard note on the Improvement/Grading Plan: During construction, the contractor shall minimize idling time to a maximum of 5 minutes for all diesel

powered equipment. **(APCD) MM 9-2(c)**

119. Include the following standard note on the Improvement/Grading Plan: The contractor shall use CARB ultra low diesel fuel for all diesel-powered equipment. In addition, low sulfur fuel shall be utilized for all stationary equipment. **(APCD) MM 9-2(d)**

120. Include the following standard note on the Improvement/Grading Plan: The contractor shall utilize existing power sources (e.g., power poles) or clean fuel generators rather than temporary diesel power generators. **(APCD) MM 9-2(e)**

121. Include the following standard note on the Improvement/Grading Plan: All on-site stationary equipment which is classified as 50 hp or greater shall either obtain a state issued portable equipment permit or a Placer County APCD issued portable equipment permit. **(APCD) MM 9-2(f)**

Operation

122. Prior to the issuance of a building permit for the fueling station facility, the applicant shall obtain an Authority to Construct Permit from the Placer County Air Pollution Control District (APCD). The applicant shall submit for review and approval by the APCD a detailed Health Risk Assessment to ensure the potential risk resulting from the proposed annual throughput for the fueling station will not exceed the risk threshold of 10 in a million. **(APCD) MM 9-5**

123. Prior to building permit approval, the applicant shall show that electrical outlets shall be installed on the exterior walls of both the front and back of all commercial buildings. **(APCD) MM 18-9(a)**

124. Prior to building permit approval, the applicant shall show that all truck loading and unloading docks shall be equipped with one 110/208 volt power outlet for every two dock doors. Diesel trucks shall be prohibited from idling more than five minutes and must be required to connect to the 110/208 volt power to run any auxiliary equipment. Signage shall be posted in the receiving areas and the parking lot to prohibit idling for more than five minutes. **(APCD) MM 18-9(b)**

125. Parking lot design shall include clearly marked pedestrian pathways between parking facilities and building entrances included in the design. **(APCD) MM 18-9(c)**

126. All off-road equipment used at the store for material handling or maintenance shall be natural gas, propane, or electric powered. **(APCD) MM 18-9(d)**

127. Back-up generators shall run on natural gas only. **(APCD) MM 18-9(e)**

128. Prior to the approval of design review or issuance of a building permit, landscaping plans shall provide for tree planting throughout all parking areas to attain 50 percent shading of parking areas within 15 years. Landscaping plans shall incorporate native and/or drought-resistant species. **(APCD) MM 18-9(e)**

129. Prior to the issuance of a building permit, the applicant shall participate in the Placer County Air Pollution District Offsite Mitigation Program by paying the equivalent amount of money, which is equal to the projects contribution of pollutants (ROG and NOx), which exceeds the cumulative threshold of 10 pounds per day. The actual amount to be paid shall be determined, and satisfied per current California Air Resource Board guidelines. **(APCD) MM 18-9(f)**

130. Prior to the issuance of building permits or approval of landscaping plans for the proposed project, the project applicant shall submit, for review and approval by Placer County Planning Department and the PCAPCD, building and landscaping plans that demonstrate compliance with the following mitigation measures set forth in Table 18-16 of the EIR **(APCD)(MM 18-10):**

a) Landscaping plans shall provide for tree planting throughout all parking areas within 15 years of building permit issuance. Landscaping plans shall incorporate native and/or drought-resistant species to reduce the demand for use of landscape maintenance equipment;

b) Design buildings to be as energy efficient as possible, including the incorporation of solar energy to the maximum extent feasible and to exceed by 20 percent, to the extent feasible, all applicable Title 24 or California Energy Efficiency Standards. Where solar systems cannot feasibly be incorporated into the project at the outset, construction of the building shall be constructed as “solar ready” as described in the U.S. Department of Energy, A Homebuilder’s Guide to Going Solar (brochure, 2008), available at <http://www.eere.energy.gov/solar>.

c) Site buildings to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use;

d) Install efficient lighting and lighting control systems. Use daylight as an integral part of lighting systems in buildings;

e) Install light colored “cool” roofs, cool pavements, and strategically placed shade trees;

- f) Install energy efficient heating and cooling systems, appliances and equipment; and control systems;
- g) Install light emitting diodes (LEDs) for traffic, street, and other outdoor lighting;
- h) Create water-efficient landscapes;
- i) Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls;
- j) Design buildings to be water-efficient. Install water-efficient fixtures and appliances;
- k) Restrict watering methods (e.g., prohibit systems that apply water to non-vegetated surfaces) and control runoff;
- l) Implement low-impact development practices that maintain the existing hydrologic character of the site to manage storm water and protect the environment (Retaining stormwater runoff on-site can drastically reduce the need for energy-intensive imported water at the site);
- m) Reuse and recycle construction and demolition waste (including, but not limited to, soil, vegetation, and concrete, lumber, metal, and cardboard);
- n) Provide interior and exterior storage areas for recyclables and green waste and adequate recycling containers located in public areas;
- o) Improvement Plans shall demonstrate improved accessibility to the existing pathway infrastructure that leads to and from local services will be provided along the southern boundary of the project site;
- p) Improvement Plans shall demonstrate that the site will provide maximum access and connectivity to the existing Placer County bus shelter at the entrance of the project site;
- q) Provide the necessary facilities and infrastructure to encourage the use of low or zero-emission vehicles (e.g. electric vehicle charging facilities and conveniently located alternative fueling);
- r) Provide adequate bicycle parking near building entrances to promote cyclist safety, security, and convenience. Provide locked bicycle storage or covered/indoor bicycle

parking;

s) Comply with the requirements within the Regulation for the management of High Global Warming Potential Refrigerants for Stationary Sources in order to reduce the project's potential emission of high GWP refrigerants.

MISCELLANEOUS

131. The applicant shall, upon written request of the County, defend, indemnify, and hold harmless the County of Placer (County), the County Planning Commission, and its officers, agents, and employees, from any and all actions, lawsuits, claims, damages, or costs, including attorneys fees awarded by a court, arising out of or relating to the processing and/or approval by the County of Placer of that certain development project known as Home Depot DeWitt Center (the Project). The applicant shall, upon written request of the County, pay or, at the County's option, reimburse the County for all costs for preparation of an administrative record required for any such action, including the costs of transcription, County staff time, and duplication. The County shall retain the right to elect to appear in and defend any such action on its own behalf regardless of any tender under this provision. This indemnification obligation is intended to include, but not be limited to, actions brought by third parties to invalidate any determination made by the County under the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) for the Project or any decisions made by the County relating to the approval of the Project. Upon request of the County, the applicant shall execute an agreement in a form approved by County Counsel incorporating the provisions of this condition.

132. The project proponent shall abide by the Placer County Mosquito Abatement District (PMAD) construction guidelines for stormwater detention systems. PMAD (or designated representative) shall review the improvement plans.

133. During project construction, staking shall be provided pursuant to Section 5-1.07 of the County General Specifications. **(ESD)**

134. Any entrance structure proposed by the applicant shall be reviewed and approved by the DRC, shown on the project Improvement Plans, and shall be located such that there is no interference with driver sight distance as determined by the Engineering and Surveying Department, and shall not be located within the right-of-way.

Any entrance monument or structure erected within the front setback on any lot, within certain zone districts, shall not exceed 3' in height (Ref. Chapter 17, Article 17.54.030, Placer County Zoning Ordinance). **(ESD)**

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54

135. Utility pole(s) should be relocated / underground out of the sidewalk / right of way to a position approved by the County, state, utility company or other entity as applicable. **(ESD)**

EXERCISE OF PERMIT

136. The applicant shall have 36 months to exercise this Conditional Use Permit. Unless exercised or extended through approval of an Extension of Time application, this Conditional Use Permit (PCPA 20080157) shall expire on July 19, 2013.



**RECOMMENDED CONDITIONS OF APPROVAL – MINOR USE
PERMIT - "BOHEMIA RETAIL PROJECT OFF-SITE SIGN "
(PMPA 20100058)**

THE FOLLOWING CONDITIONS SHALL BE SATISFIED BY THE APPLICANT, OR AN AUTHORIZED AGENT. THE SATISFACTORY COMPLETION OF THESE REQUIREMENTS SHALL BE DETERMINED BY THE DEVELOPMENT REVIEW COMMITTEE (DRC), COUNTY SURVEYOR, AND/OR THE PLANNING COMMISSION.

1. The Minor Use Permit (PMPC20100058) is approved to allow for a freestanding monument sign to be constructed on the subject parcel (052-102-056) that will advertise a future business (or businesses) on adjacent parcels 052-102-012, -013, -017 and -053 to the northeast corner of Retail Drive and Highway 49. This approval is contingent on the approval of the Use Permit (PCPA20080157) for the Bohemia Retail Project and the issuance of a Building Permit for the construction of that project.
2. The applicant shall submit for review and approval a Sign Permit which will include a site plan, colored elevation, line of sight exhibit and material list, prior to construction of the sign.
3. Applicant shall obtain a Building Permit, following approval of the Sign Permit, from the Building Department prior to construction of the monument sign.
4. All sign and associated work shall be set back 5' from both the State Highway right-of-way and County right-of-way.
5. Prior to Building Permit issuance, obtain a Grading Permit for any grading work in excess of 250 CY in volume, and / or for cuts or fills of 4 ft or greater measured vertically.
6. If the sign is within the P.U.E., prior to Building Permit issuance, provide the ESD copies of a letter from each utility company that has legal access to the P.U.E. The letter should state that the utility companies have no objection to the placement of the structure within the P.U.E. If the utility companies have their own conditions/requirements, the conditions/requirements shall become a part of the conditions of approval.
7. This Minor Use Permit shall be considered exercised upon issuance of a Building Permit for the associated Bohemia Retail Project (PCPA20080157).

ERRATUM TO THE BOHEMIA RETAIL FINAL EIR

Two public comment letters and seven additional petitions on the Bohemia Retail Draft EIR were inadvertently omitted from the Bohemia Retail Final EIR released to the public on June 16, 2010. As a result, the County has prepared responses to these additional comments concerning the Bohemia Retail Draft EIR. Given that the Bohemia Retail Final EIR includes a total of 119 comment letters, which includes the minutes for the comment hearing on the Draft EIR as Letter 119, the two additional comment letters and 7 petitions are hereby presented in this erratum and incorporated by reference into the Bohemia Retail Final EIR as Letters 120 through 128, with the additional inclusion of the standard letter from the State Clearinghouse as Letter 129, indicating the County's compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

As is demonstrated below, nearly all of the comments presented in the two additional letters (120 and 126) have already been addressed in the Final EIR responses to comments (see Chapter 3 of the Bohemia Retail Final EIR). In addition, the seven additional petitions included in this Erratum are duplicates of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the "Additional Comments" section of the petitions. However, as demonstrated below, these "Additional Comments" are already addressed throughout the previously released Final EIR for Bohemia Retail.

The "list of commenters" table included in Chapter 1 of the Bohemia Retail Final EIR has been reproduced below for convenience with the necessary modifications made to account for Letters 120 through 129.

INDIVIDUAL MEMBERS OF THE PUBLIC		
#	Name	Date Received
1	Carol Arvay	3/4/10
2	Carol Arvay	2/25/10
3	Robert Bartley	2/18/10
4	Tom and Maren Baxman	3/4/10
5	Arnold Celick	2/18/10
6	Jan Coleman	3/4/10
7	Jan Colman	2/25/10
8	Victoria Connolly	3/2/10
INDIVIDUAL MEMBERS OF THE PUBLIC		
9	Cynthia Davis	1/1/10
10	Travis Eichorn	3/4/10
11	Kissane Ferguson	3/2/10
12	Loys and Janice Fielder	2/28/10
13	Ken and Nancie Goodnough	2/22/10
14	Gene Hartman	2/28/10
15	Terri and Brian Hesser	2/22/10
16	Terri and Brian Hesser	2/22/10
17	Allan and Joan Lovan	2/25/10

18	Allan and Joan Lovan	2/1/10
19	Dr. Paula MacDonald	3/3/10
20	Michael and Jacqueline McGinnis	2/8/10
21	Aida Meade	3/3/10
22	Aida Meade	2/26/10
23	Chris Dwelle Nobles	2/22/10
24	Sherri Patton	3/3/10
25	Amanda Payton	2/24/10
26	Robert J. and Suzanne Peterson	2/25/10
27	Pamela Retelsdorf	3/2/10
28	Bud Roberts	3/4/10
29	David A. Rose	2/26/10
30	Kathleen Rose	2/26/10
31	Catherine and James Sandy	2/22/10
32	James and Catherine Sandy	2/9/10
33	Gary L. Sinz	2/24/10
34	Gary L. Sinz	2/22/10
35	Dale Smith, Alfa Omega Associates	3/4/10
36	Sharon Stanners Smith	2/21/10
37	Gloria Stallman	2/25/10
38	Susie Tronti	3/3/10
39	Susie Tronti	2/10/10
40	Barry Walton	3/4/10
41	Barry and Crispen Walton	2/24/10
42	John Webb	3/2/10
43	Peggy Williams	3/1/10
44	Sheila Zisko	2/22/10

PETITION SIGNATORIES

#	Name	Date
45	Thomas and Maren Baxman	
46	Marlene Branaugh	3/1/10
47	Dan S. and Marjorie Brosier	
48	Gladys Brown-Kore	
49	Mark and Halley Bulger	
50	Cassie Collier	
51	Sean Collier	
52	Joseph and Jane Duncan	

PETITION SIGNATORIES

53	Ruth Dunmore	
54	Robert Durham	
55	Sandra Erickson	
56	Mike Fahey	
57	Kissane Ferguson	
58	Joseph Ferro	
59	Tom and Barbara Fox	
60	Elaine Fracchia	
61	Ken and Nancie Goodnough	
62	Gerard P. Groguen	
63	Bob and Sany Hale	

64	Gene Hartman	
65	Beverly Hayduk	
66	Donna and Clifford Hendricks	
67	Ann Kearny	
68	Donald Lacson	
69	Violet Lacson	
70	Don and Ellen Lewis	
71	Jeff and Vickie Linsley	
72	Lee Lively	
73	Leslie Lohse	
74	Nicole Lopez	
75	Eric Lopez	
76	Willis and Christine Ludlow	
77	Lisa Manauelis and Rafael Jimenez	
78	Joe Marman	2/23/10
79	Aida Meade	
80	W. Neil Morefield and Kathryn Morefield	
81	Jamie Nave	
82	Charles and Pamela Nickrenz	2/25/10
83	Carl and Janis Ortega	2/25/10
84	David and Kimber Peres	
85	Bob and Suzanne Peterson	2/25/10
86	Ken, Jan, Juanita, and Gene Preble	
87	M. Rettalack	
88	Elizabeth and Armando Sacalxot	
89	James and Catherine Sandy	
90	Gary L. Sinz	
91	Cliff Slocum	
92	Sharon and Brent Smith	
93	Ruth Snelson	
94	Greg and O. Tagge	
95	Adam and Elizabeth Talbott	
96	Sandi Thys	
97	Bee and Gordon Toomey	
98	Marlene Unthank	
PETITION SIGNATORIES		
99	Toivo and Hilma Valtatie	
100	Linda vanVierzen	
101	Barry and Crispen Walton	
102	Matilda Wenger	
103	Stephen and Linda Whipple	
104	Sheila Zisko and Paul Anderson	
ORGANIZATIONS		
#	Name	Date
105	Lee Lively, Fiddler Green Homeowners Association	3/4/10
106	Richard D. McClellan, Mountain Shadow Homeowners Association	2/12/10
107	Jess Torres, National Association of Retired Federal Employees	3/2/10

STATE AND LOCAL AGENCIES			
#	Name	Agency	Date
108	Carol Ackerson	PG&E – Land and Environmental Management	3/4/10
109	Aaron Cabaccang	CA Department of Transportation	3/4/10
110	Ken Gregory	North Auburn Municipal Advisory Council	2/17/10
111	Rick Helman	CA Department of Transportation	3/4/10
112	Angel Rinker	Placer County Air Pollution Control District	3/4/10
113	Katy Sanchez	Native American Heritage Commission	1/28/10
114	Kim Schwab	California Regional Water Quality Control Board	2/24/10
115	Stan Tidman	Placer County Transportation Planning Agency	2/12/10
LETTERS RECEIVED AFTER CLOSE OF COMMENT PERIOD			
#	Name		Date
116	B. Driscoll		3/15/10
117	Bob and Jamey Francis		3/5/10
118	Lee Lively, Fiddler Green Homeowners Association		3/17/10
DEIR COMMENT HEARING			
#119	Bohemia Retail DEIR Comment Hearing		2/25/2010
ADDITIONAL LETTERS RECEIVED			
#120	Lari L. Knedel & Terre Davis		3/3/2010
#121	Lari L. Knedel (petition)		
#122	Terre Davis (petition)		
#123	Kenny King (petition)		
#124	Gerald D. King (petition)		
#125	Christina King (petition)		
#126	David Keyes		2/25/2010
#127	Jeff and Kristina Kenoyer (petition)		
#128	Laurel Westsmith (petition)		
#129	State Clearinghouse		3/9/2010

Letter 120

March 1, 2010

Maywan Krach
Environmental Coordination Services
Placer County
Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: Bohemia Retail Project (PEIR T20080235 / State Clearinghouse #2001042086)

Placer County Planning Commission Members:

We have several questions concerning the following statements in the Executive Summary of the Draft EIR (hereinafter referred to as "EIR").

Under *Land Use*, the EIR states:

1. *The Auburn/Bowman Community Plan – (hereinafter referred to as "ABCP") - includes various policies that are intended to reduce a project's land use impacts, both to the project site itself and to surrounding uses.*
2. *The project would comply with the ABCP policies related to physical aspects of land use considerations, and impacts were found to be less-than-significant.*

The impacts we have examined in the EIR are "very significant and unavoidable," not only to residents in the surrounding neighborhoods, but to many of the small businesses in Auburn.

The following EXAMPLES illustrate how the Bohemia Retail Project does not comport with the goals and policies found in the ABCP:

EXAMPLE 1

Under Section III - COMMUNITY DEVELOPMENT ELEMENT, the ABCP states:

Section B – Land Use / General Development (s.)

Encourage land uses that accommodate commercial services, ... while at the same time acknowledging that site constraints, design guidelines, and other land use considerations may limit the development of 'regional malls,' 'power centers,' very large commercial boxes or similar types of development.

Chapter 3, Item 3.4 – Project Objectives, the EIR states:

Design and construct a retail building that will provide a buffer between the residential neighborhoods to the north and east and more intensive commercial/industrial uses to the south and west, with the end goal of a retail project that is not only compatible on all fronts with its adjoining uses, but contributes to an overall sense of community in the area [emphasis added]. (Page 3-4)

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *No Mitigation Measures are required because the Proposed Project would include services that would compete with existing businesses, including general retailers and groceries, in Placer County to the extent that those businesses would close and the resultant vacancies would contribute to physical deterioration and urban decay. (Page 2-58)*
2. *No Mitigation Measures are necessary for cumulative socio-economic impacts of the proposed project. (Page 2-72)*

Letter 120
Cont'd.

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120-1
Cont'd.

Questions

1. Statements 1 and 2 in the EIR contradict one another; so how do these statements comply with the ABCP?
2. The map included in the EIR shows the location of the retail building in the northeast portion of the project site property, with the north side of the retail building directly behind the residents' homes along the south side of Dyer Court, and east side of the retail building 45-feet from the west side of Canal Street, intruding directly into the Fiddler Green subdivision and the Country Club Estates private park. Parking lots are located in the south and west area of the site. How does the description of the retail building's location in the EIR comply with its own project objective?

120-2

EXAMPLE 2

Under Section II - A. GENERAL COMMUNITY GOALS, the ABCP goal states:

The Plan must recognize that clean air and water are essential resources for maintaining a high quality of living, and ensure that these resources are maintained at acceptable levels [emphasis added].

Under Section IV- B, item #6-Air Quality, the ABCP states:

Protect and improve air quality in the Auburn area.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *Cumulative impacts concerning the production of greenhouse gases were determined to be significant and unavoidable even with implementation of the required mitigation. (Page 2-6)*
2. *Because implementation of feasible mitigation would not reduce the project's short term Nitrogen Oxide emissions below the Placer County Air Pollution Control District's significance threshold, the project would result in a significant and unavoidable impact. (Page 2-6)*
3. *No mitigation measures are required to the impacts related to Carbon Monoxide emissions and impacts related to Long-Term increases of criteria air pollutants. (Page 2-32)*

120-3

The EIR defines "criteria air pollutants" as: ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and respirable particulate matter.

Chapter 9 – Air Quality, Table 9-1 of the EIR entitled "Effects of Major Criteria Pollutants" lists the following effects of criteria air pollutants [emphasis added]:

Health effects of Ozone:

- *Breathing difficulties*
- *Lung tissue damage*
- *Damage to rubber and some plastics*
- *Eye and skin irritation*

Health effects of Carbon Monoxide:

- *Chest pain in heart patients*
- *Headaches and nausea*
- *Reduced mental alertness*
- *High concentration can result in death*

Health effects of Nitrogen Dioxide:

- *Lung irritation and damage*
- *Reacts in the atmosphere to form ozone and rain and acid rain*

Letter 120
Cont'd.

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120-3
Cont'd.

Health effects of Sulfur Dioxide:

- Increased lung disease and breathing problems for asthmatics
- Reacts in the atmosphere to form acid rain

Health effects of Particulate Matter:

- Increased respiratory disease
- Lung damage
- Premature death
- Reduced visibility

Under Chapter 9 – AIR QUALITY, 9.2 ENVIRONMENTAL SETTING, “Sensitive Receptors,” the EIR states:
Residents located to the north and east areas of the proposed project location are elderly, which the EIR states
“are more sensitive to air pollution because they tend to be at home for extended periods of time resulting in
sustained exposure to any pollutants present.”

Questions

1. How does the proposed Bohemia Retail Project comply with these ABCP goals?
2. How will the Proposed Project mitigate this added risk to the nearby elderly residents? – As no mitigating measures are found in the EIR.

EXAMPLE 3

Under Section I – B. Description of the Study Area, the ABCP states:

Auburn’s attractiveness for residents and visitors is in large part attributable to its vitality and beauty of its natural setting and environment. The open spaces surrounding Auburn serve as a crucial urban function as well. They separate the highly developed areas from the working landscape and from other urban areas.

120-4

Under Chapter 3 – Project Description – Page 3-4, the EIR states:

Design and construct a retail building that will provide a buffer between the residential neighborhoods to the north and east and more intensive commercial/industrial uses to the south and west, with the end goal of a retail project that is not only compatible on all fronts with its adjoining uses, but contributes to an overall sense of community in the area [emphasis added].

No mitigation measures are required for the impact on compatibility with existing adjacent land uses. (Page 2-13)

Question

How is a 155,000 square foot commercial building being squeezed into a residential area with access off Canal Street - a two-lane residential street that is the only main entrance to several housing developments - being compatible with the “adjacent land uses”?

EXAMPLE 4

Under Section III – F. Noise, the ABCP goals/policies state:

1. *To protect Community Plan Area residents from the harmful and annoying effects of exposure to excessive noise [emphasis added].*
2. *To preserve the rural noise environment [emphasis added] of the Community Plan area and surrounding areas.*
3. *Residential and other noise sensitive land uses and commercial/industrial land uses create inherently different noise environments owing to the differences in necessary activities [emphasis added]. When such*

120-5

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Cont'd.

incompatible uses come closely into contact, residents may complain and otherwise make it difficult for commercial/industrial uses to conduct their business.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *No mitigation measures are required for traffic-related noise impacts as a result of project implementation. (Page 2-35)*
2. *No mitigation measures are required for impacts associated with new sources of light and glare. (Page 2-19)*
3. *No mitigation measures are required for the impact of cumulative increase in project vicinity noise levels. (Page 2-70)*

Question

How does the "Delivery Truck and Loading Dock Activity limited to 6:00AM until 12:00 AM," – 10-3(b) of the Executive Summary EIR - and "On-site operational activities that would potentially exceed County noise levels and therefore result in a potentially significant impact including truck circulation, loading dock activity, and parking lot sweeper activity" – **NOT have an impact** on the adjacent residents and existing sensitive receptors mentioned in the EIR to the north and east of the Projected Project site?

EXAMPLE 5

Under Section I - C. THE REGIONAL SETTING AND CONTEXT, the ABCP states:

Air quality is a regional issue since regional traffic is responsible for much of the deterioration of the local air quality and because air pollution moves out of the more densely developed areas into Placer County and to the east.

Chapter 2 of the EIR Executive Summary states:

1. *Cumulative impacts associated with regional air quality would be significant and, even with the implementation of mitigation measures, cumulative impacts would remain significant and unavoidable. (Page 2-6)*
2. *Approximately 15 % of traffic associated with the proposed project would utilize the Canal Street access – 1615 cars per day – while the remaining 85% would use the project's Primary Access – SR 49 and Hulbert Way. Therefore under the No Canal Street Access Alternative, the Primary Access location could expect a 15% increase in trips ... Because the No Canal Street Alternative Access is proposed to increase traffic congestion at the Primary Access, and CO2 emissions are directly related to traffic congestion, ... this Alternative would have a greater impact - in regard to air quality - than the Proposed project. (Pages 17-9, 17-10)*
3. *Because the No Canal Street Access Alternative is projected to increase traffic congestion at the Primary Access, and Carbon Monoxide emissions are directly related to traffic congestion, the No Canal Street Access Alternative would have a greater impact as compared to the proposed Project. (Page 17-10)*

Question

How is the EIR compliant with this ABCP goal?

EXAMPLE 6

Under Section V – D. Level of Service, the ABCP states:

The level of service (LOS) minimum standard for roadways and intersections throughout the Plan area shall generally be LOS "C".

Chapter 8, page 8-7, the EIR defines Level Of Service (LOS) as:

Roadway operating conditions which is a qualitative measure of the effect of a number of factors, including speed and travel time, traffic interruptions, freedom to maneuver, safety driving comfort and convenience,

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Cont'd.

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delay, and operating costs. An "LOS" is designated a single letter reference, between "A" through "F," which represents the best to worst service range traffic operations that could occur.

According to Table 8-1 of the EIR, page 8-12, the LOS Criteria defines "A" through "F" as:

Level of Service (LOS)	Description
A	Very low control delay. Most vehicles do not stop at all. Most vehicles arrive during the green light.
B	Generally occurs with good progression. More vehicles stop than with LOS "A" causing higher levels of average delay.
C	Delays from fair progression, longer cycle lengths or both. The number of vehicles stopping is significant at this level, though many still pass through the intersection without stopping.
D	Congestion becomes more noticeable. Longer delays result from unfavorable congestion. Many vehicles stop, and the proportion of vehicles not stopping declines.
E	High delays and generally poor progression.
F	This level, considered to be unacceptable to most drivers, often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection.

120-7
Cont'd.

The ABCP #V: Traffic Circulation Element - Table 17 shows the exception to the LOS "C" standard for the SR 49 / Luther Road intersection to be an "E."

Table 8-15, page 8-43, in the EIR states:

For the Discount Club – projected to be a Costco or Sam's Club,

- The LOS projected conditions for the SR 49/Luther Road intersection will be a "D" during peak PM hours.
- The LOS projected conditions for the Luther Road / Canal Street intersection will be an "E" during peak PM hours.

Table 8-7, page 8-25, in the EIR states:

The Total "Unadjusted" Proposed Project External Trips to be 9,076.
'Unadjusted External Trips includes Pass-by Trips'

Table 8-16, page 8-45, in the EIR states:

For the Discount Superstore – projected to be a Walmart,

- The LOS projected conditions for the SR 49 / Luther Road intersection will be a "D" during peak PM hours.
- The LOS projected conditions for the Luther Road / Canal Street intersection will be an "E" during PM peak hours.

Table 8-8, page 8-27, in the EIR states:

The Total "Unadjusted" Proposed Project External Trips to be 10,773.
'Unadjusted External Trips includes Pass-by Trips'

120-7
Cont'd.

Page 8-52 which addresses the Christmas Season Conditions states:

The Short Term Plus Project with Christmas Season Conditions would cause the Luther Road / Canal Street intersection to operate at an unacceptable LOS. Also Implementation of the proposed project would result in the lack of available storage length at several intersections. In addition, project construction activities could have a significant impact on circulation in the vicinity of the project.

Table 8-17 and 8-18, pages 8-46 & 8-4,7 in the EIR states:

Roadway conditions for both the Discount Club store and the Discount Superstore to be level "C" for Northbound traffic at SR 49 / Hulbert Way intersection, and level "D" for Southbound traffic at SR 49 / Hulbert Way intersection – during PM peak hours.

Question

With all the projected new daily vehicle trips and the "LOS" projections for the affected main intersections associated with this proposed project, how does the proposed project comply with the ABCP?

EXAMPLE 7

Under III - COMMUNITY DEVELOPMENT, D. # 5, Public Protection, the ABCP states:

Provide public protection services which are appropriate for the urban and rural development proposed by the Community Plan, increasing the level of services as development occurs. In addition, traffic enforcement and accident investigations are provided by the California Highway Patrol.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

Many Mitigation Measures exist for impacts to surrounding intersections, including signalizing the Luther Road / Canal Street Intersection – which is the Secondary Access for the Proposed Project site.

Question

Due to "The LOS projected conditions for the Luther Road / Canal Street intersection will be an "E" during peak PM hours – which is only 0.1 miles from the only ingress and egress to a multi-resident senior trailer-park, how will those senior residents safely pull out on east bound or west bound Luther Road when the intersection 0.1 mile away – Intersection #18 - will be projected to be at an "Unacceptable Level of Service?"

EXAMPLE 8

Under II – GENERAL COMMUNITY GOALS AND PLANNING PRINCIPLES, Section B – 3, the ABCP states:

A mixed use concept should be sought for new development on the larger developable parcels of land and within designated areas where redevelopment may occur. A balance of compatible commercial, industrial, residential civic uses, enjoyable public places, and parks will enhance the community's sense of identity and interaction, as well as address traffic congestion, air quality, [emphasis added] and affordable housing issues.

Reference is made in the Executive Summary of the EIR to a "Mixed Use Alternative" – which would include a 35% reduction in square footage and would include two separate retail buildings – one 64,300 sq. ft. building and one 35,700 sq. ft. building, and states:

The Mixed Use Alternative would have fewer impacts to visual resources, public services and utilities, and hazardous materials and hazards as compared to the proposed project.

In Chapter 17, - "Alternatives" under "Transportation and Circulation," the EIR states:

1. *Impacts related to transportation and circulation would be less with The Mixed Use Alternative as compared to the proposed project.*
2. *Under the Mixed Use Alternative, vehicle trips would not be reduced as compared to the proposed project and congestion would generally be the same at the two access locations.*

120-8

120-9

In Chapter 17, - "Alternatives," pages 17-3, 17-10, and 17-16 under "Air Quality," the EIR states:

1. *Implementation of the proposed project would result in significant impacts in regard to air quality. Construction activities associated with the proposed project would generate PM10 emissions at a level that would exceed Placer County Air Pollution Control District (PCAPCD) significance threshold of 82 pounds per day. In addition, the project would be located in an area of Placer County that potentially [emphasis added] contains naturally occurring asbestos (NOA) and construction of the project could result in the release of NOA into the air.*
2. *Both the proposed project and the No Canal Street Access Alternative could result in the release of NOA into the air. If on-site rocks contain asbestos, grading and construction activities could release asbestos fibers into the environment.*
3. *Because air quality impacts are directly related to construction activities and land disturbance area, the Mixed Use Alternative would be expected to have a similar impact during construction operations as compared to the proposed project.*

Questions

1. How do the Proposed Project, the No Canal Street Access Alternative, and the Mixed Use Alternative comply with the ABCP policy?
2. Why are the Transportation and Circulation statements contradictory?
3. In reference to the November 4, 2008 Department of Conservation California Geological Survey, the "NOA Hazard Map of the North Auburn Vicinity" indicates details of the likelihood of the presence of NOA in North Auburn and surrounding vicinities. This reference directly contradicts the EIR statement that this area of Placer County could "potentially" contain NOA. The scale for the presence of NOA is as follows:
 - Areas **MOST** likely to contain NOA
 - Areas **MODERATELY** likely to contain NOA
 - Areas **LEAST** likely to contain areas of NOA
 - Areas of **Faulting or Shearing**: which adds to the likelihood of NOA

According to this map and scale, the proposed project is located in the area "MOST" likely to contain NOA and contains Areas of "Faulting and Shearing."

4. This "NOA Hazard Map of the North Auburn Vicinity" was easily accessible online. Why then the contradiction in the EIR statement?

EXAMPLE 9

Under II - GENERAL COMMUNITY GOALS AND PLANNING PRINCIPLES, the ABCP states:

The protection of the environment within the Plan area is necessary in order to maintain the most important attributes that attract people here in the first place and keep long-term residents from moving away.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *No Mitigation Measures are required for the impact of this Proposed Project that would include services that would compete with existing businesses, including general retailers and groceries, in Placer County to the extent that those businesses would close and the resultant vacancies would contribute to physical deterioration and urban decay.*
2. *No Mitigation Measures are necessary for cumulative socio-economic impacts of the proposed project.*

120-10
Cont'd.

Question

How will this project protect and maintain the most attractive attributes that attracted people here in the first place? – One being the sense of a small-town community, where local, smaller businesses are kept intact.

EXAMPLE 10

Under III - COMMUNITY DEVELOPMENT ELEMENT #C – Community Design, the ABCP states:

Maintain the present character of established residential areas. Discourage the appearance of creating walled-off communities such as is done with the use of sound walls along roadways that do not contribute to the sense of the community desired for the area.

120-11

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

A noise barrier 6-8 feet in height would be required to reduce future Delivery Movements and Loading Dock Activity noise levels. Barriers could take the form of earth berms, solid walls, or a combination of the two.

Question

How do these mitigations maintain the character of residential areas and comply with the ABCP?

EXAMPLE 11

Under III - COMMUNITY DEVELOPMENT ELEMENT, #C-(b.)- Commercial, the ABCP states:

Night lighting, visible from the exterior of a building and the projects boundaries should be limited to that necessary for security, safety, and identification. Night lighting should also be screened from adjacent, residential areas and not be directed in an upward manner.

120-12

Under III - COMMUNITY DEVELOPMENT ELEMENT #B-(i.)-General Development, the ABCP states:

Intensity and use of individual parcels and buildings should be governed by considerations of health and safety impacts on adjoining properties due to noise, traffic, night lighting or other disturbing conditions, and protection of natural land characteristics.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

The Mitigation Measure for the impacts of on-site noise sources of Loading and Delivery Activities would be to limit these activities between '6AM and 12AM.'

Question

How is this mitigation compliant with this ABCP?

EXAMPLE 12

Under V - TRAFFIC CIRCULATION ELEMENT, the ABCP states:

Loss of 'Peace and Quiet' are often complaints from rural residents as areas build out, particularly when vehicular traffic increases near homes.

120-13

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *No mitigation measures are required for traffic related noise impacts as a result of the project implementation.*
2. *No mitigation measures are required due to cumulative increases in project vicinity noise levels.*

Question

How is the projected 10,773 new daily car trips to the project and the estimated 1615 new daily car trips on Canal Street alone, NOT contributing to excess vehicle noise?

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Cont'd.

EXAMPLE 13

Under V - TRAFFIC CIRCULATION ELEMENT, the ABCP states:

'Through' traffic which must pass through this Plan area shall be accommodated in a manner which will not encourage the use of neighborhood roadways. This 'through traffic' shall be directed to appropriate routes in order to maintain public safety & local quality of life.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

1. *No mitigation measures are required for impacts related to vehicular safety from design features or incompatible uses.*
2. *No mitigation measures are required for impacts related to emergency vehicle access.*

Questions

1. How will the developer prevent the use of neighborhood roads being used to reach the retail site?
2. With the estimated 1615 new cars per day on Canal Street – with little or no “roadway shoulder” – how will the project comply with access for emergency vehicles, since Canal Street is the main access to several neighborhoods?

EXAMPLE 14

Under V - TRAFFIC CIRCULATION ELEMENT, the ABCP states:

Provide safe and efficient Transportation systems for residents of the Plan area and others who use the systems.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

The consideration of traffic impacts on roadway capacity concluded that impacts would be 'less-than-significant.'

Question

How is the projected 10,773 new daily car trips to the project and the estimated 1615 new daily car trips on Canal Street considered “less-than-significant?”

EXAMPLE 15

Under III - COMMUNITY DEVELOPMENT ELEMENT, B - LAND USE, the ABCP states:

Preserve and maintain the rural character and quality of the outlying areas. Factors that contribute to this rural character include the predominance of native vegetation.

Under SUMMARY OF IMPACTS AND MITIGATION MEASURES, the EIR states:

The mitigation measures for the 'Impacts to Protected Trees' would be to Submit to the Placer County Tree Preservation Fund, payment in the amount of \$65,180 for impacts to woodland oaks.

Question

How will “clear-cutting” existing native oak trees on the Bohemia Property preserve this rural character?

The Developer claims these oak trees are “sick and need to be removed.”

I would advocate these mature native oak trees not be removed before they are examined by a licensed certified arborist before determining their worth or demise. The three sources Mr. Conkey mentions as specialists are not licensed, certified arborists.

Bruce D. Barnett is an Environmental Consulting & Regulatory Compliance Service;

Gibson & Skordal is a Wetland Consulting Firm; and

Yamasaki Landscape Architecture Planning & Construction is a Landscape Construction Business

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IN CLOSING:

After reviewing the EIR and ABCP, in our opinion this project has many inconsistencies regarding its compliance with the ABCP goals and policies and some of its own goals.

THIS PROJECT SHOULD NOT:

Contribute to deterioration of air quality;

THIS PROJECT SHOULD NOT:

Contribute to physical deterioration and urban decay of the area;

THIS PROJECT SHOULD NOT:

Contribute to increased disturbing conditions to adjacent properties;

THIS PROJECT SHOULD NOT:

Increase traffic patterns to the extent that they will invade surrounding residential areas;

THIS PROJECT SHOULD NOT:

Contribute more traffic congestion to an already congested section of the Hwy49 corridor;

THIS PROJECT SHOULD NOT:

Eliminate existing, mature native oak trees not examined by a licensed certified arborist before determining their worth or demise.

Our first option is to support the "Mixed Use Alternative, with NO CANAL Street Access.

If we, - as a community - fail to convince the Decision Makers that this project is "just not the right fit" for the area, then we would urge the Decision Makers to approve the "NO CANAL Street Access Alternative."

We can understand the Developer's desire to develop this property so he can "just move on."

We would hope that he understands how the surrounding property owners' will suffer the long-term Impacts of this project, and will not be able to just "move-on" due to the financial hardship of relocating.

Thank you for considering our comments and concerns.

Lari L. Knedel, BSN, RN
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Auburn, CA 95603
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Cc: North Auburn MAC Members
Placer County Board of Supervisors
Old Town Auburn Business Assoc.
Think Auburn First Board Members

Letter 120: Knedel Lari L., Resident

Response to Comment 120-1

The commenter's #1 listed under "Summary of Impacts and Mitigation Measures" reiterates verbatim Impact Statement 16-1 of the *Socio-Economic* Chapter of the Draft EIR, which is presented in full on pages 16-15 to 16-31 of the Draft EIR. The commenter failed to notice that within the adjacent column in the same row of Table 2-1 on page 2-58, it is clearly stated that the project would have a less-than-significant (LS) impact concerning urban decay. This fact is demonstrated in the detailed discussion included under Impact 16-1, on pages 16-15 to 16-31 of the Draft EIR. As is clear, the commenter's concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR -- see Response to Comment 34-4 of the Final EIR for further discussion. Therefore, no contradiction exists within the Draft EIR concerning the urban decay discussions.

Response to Comment 120-2

The commenter's concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR. Response to Comment 34-1 of the Final EIR states that, as noted in the discussion for Impact 4-1 of the Draft EIR, starting on page 4-14 of Chapter 4, *Land Use*, of the Draft EIR, the proposed project is consistent with the PCGP and ABCP land use designations for the site, as well as the current zoning designations for the site. The ABCP currently designates the project site as Commercial and Industrial. The majority of the project site currently has a zoning designation of Commercial Planned Development, Combining Design Scenic Corridor, with Aircraft Over-flight (CPD-Dc-AO). In addition, the southeast portion of the site (APN 052-102-053) is zoned Industrial Park, Combining Design Scenic Corridor, with Aircraft Over-flight (INP-Dc-AO). As further stated on page 4-15 of the Draft EIR,

The 155,000-square-foot retail building, the tenant(s) of which could include a discount club store, a discount superstore, or a general retailer, in addition to a fueling station, would be more compatible with the surrounding residential development than other uses that could potentially be developed under the CPD-DC-AO zoning designation. Allowable uses under the CPD-DC-AO zoning designation include, but are not limited to, the following: manufacturing and processing uses, automotive sales, storage services, heliports, and transit stations and terminals. It should be noted that these types of uses could potentially create greater impacts to adjacent sensitive receptors in comparison to the proposed project -- especially impacts related to air quality and noise.

As also stated in Response to Comment 12-1 of the Final EIR, it should be noted that some industrial uses are currently located immediately adjacent to the western border of the project site, west of Wise Canal. As such, the proposed project in compliance with Goal 2, Policy 8, listed by the commenter, would provide a buffer, albeit a developed one, of commercial uses between the existing industrial and residential uses.

As also stated in Response to Comment 35-2 of the Final EIR, the Draft EIR included the following measures: 1) Mitigation Measure 10-3(a), requiring a noise barrier along Canal Street six to eight feet in height to reduce future delivery movements and loading dock activity noise levels at the nearest sensitive receptors below the Placer County standards; and 2) Mitigation Measure 10-3(b), requiring that loading and delivery activities be limited to the following hours: 6:00 AM to 12:00 AM. These requirements shall be clearly indicated in all contracts between the property owner and truck delivery vendors.

Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 120-3

The section of Chapter 9, *Air Quality*, of the Draft EIR concerning sensitive receptors that the commenter appears to be referencing is located on page 9-8, which states the following:

Some land uses are considered more sensitive to air pollution than others, due to the types of population groups or activities involved. Residential areas are considered to be sensitive to air pollution because residents (including children and the elderly) tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present. Although exposure periods are generally short, exercising places a high demand on respiratory functions, which can be impaired by air pollution. The project site is located in an area characterized by existing residential land uses, and residences surround the project site on the north and east sides. In addition, a private park is located to the east of the project site. Development activities associated with implementation could expose existing residents to increased air pollutant levels.

A point of clarification is that the Draft EIR does not state that “elderly” people are located north and east of the project site. Notwithstanding this, the Draft EIR does consider residential areas as being sensitive receptor locations because, as noted above, residents tend to be at home for extended periods of time, resulting in sustained exposure to any pollutants present.

The commenter’s air quality concerns are already adequately addressed in the Draft EIR (Chapter 9) and subsequently summarized in the Final EIR. Response to Comment 1-14 of the Final EIR states that, per Table -9-10 on page 9-20 of the Draft EIR, the estimated new regional emissions for both the Discount Club Store and Discount Superstore are all below the Placer County Air Pollution Control District’s (PCAPCD’s) threshold of significance and are therefore less-than-significant.

The California Air Resources Board (CARB) *Air Quality and Land Use Handbook*¹ contains recommendations regarding the siting of new sensitive land uses near diesel

¹ California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Prospective*, April 2005.

particulate emitting sources such as distribution centers. According to the CARB Handbook, distribution centers of a size requiring avoidance are those that accommodate more than 100 trucks per day. As stated on page 3-8 of the Draft EIR, the proposed project would result in a maximum of approximately 12 deliveries per day (six tractor-trailer trucks and six smaller vendor trucks), which is well below the identified amount that would require additional analysis. In addition, proposed loading docks are located approximately 140 feet from the park and approximately 240 feet from the nearest residence. This setback distance would consist of Canal Street, the proposed landscaping along the west side of Canal Street, the project sound wall, and the landscaped berm adjacent to the proposed loading dock area. Prevailing winds are from the south and southwest, which would effectively extend the setback distance because the closest downwind portion of the park is approximately 230 feet and approximately 300 feet to the nearest residence. Furthermore, Section 2485 of Title 13, California Code of Regulations, limits idling-time for large trucks to five minutes. Therefore, given the relatively small amount of truck trips, provided buffers, and idle-time restrictive laws, the impact from the loading dock area was determined to not be a potentially significant impact warranting further analysis. It should be noted that a Health Risk Screening Analysis was performed for the potential impacts of the proposed gas station, which concluded that the impact would be less-than-significant with implementation of mitigation.

Notwithstanding the above, while most air quality impacts resulting from the project would either be less-than-significant or less-than-significant with implementation of the required mitigation measures, three impacts are identified as significant and unavoidable on page 18-68. It should be noted that in order for the decision-makers to approve the proposed project, per CEQA Guidelines Section 15091, the decision-makers will need to make one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In addition, per CEQA Guidelines Section 15093, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits,

including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

Lastly, it should be noted that the commenter is incorrect in stating that no mitigating measures are found in the EIR. The Draft EIR includes several mitigation measures aimed at reducing the project’s air quality emissions to the extent feasible. See Mitigation Measures 9-1(a) through (h); 9-2(a) through (g); 9-5, as well as the mitigation measures for cumulative impacts, found in Chapter 18 of the Draft EIR.

Response to Comment 120-4

The commenter references page 2-13 of the Draft EIR, which includes a few rows of Table 2-1, Summary of Impacts and Mitigation Measures. Specifically, the commenter is referring to Impact 4-1 regarding compatibility with surrounding land uses, as notes that the DEIR does not include mitigation measures for this impact. While specific mitigation measures are not listed for Impact 4-1, the discussion under Impact 4-1 refers to certain mitigation measures included throughout the Draft EIR to ensure incompatibilities do not exist between the proposed project and surrounding uses. For example, page 4-15 of the Draft EIR notes that:

Aesthetic impacts to adjacent residences to the north would be reduced via the inclusion of a soundwall along the northern border of the project site as required in the noise mitigation measures set forth in this DEIR. The soundwall would be six feet in height and would not be visible above the existing fence that runs along the backyards of the residences. Deodar cedars, evergreen pear trees, and Chinese pistache trees would be planted along the opposite side of the soundwall. The noise associated with loading dock activities and other components of the retail store (i.e., rooftop equipment) is addressed in detail in Chapter 10, Noise, of this EIR.

Compatibility between one land use and another is really a function of any potential physical impacts resulting from such juxtaposition. These physical impacts could include noise, air quality, traffic, light, etc. Where necessary, mitigation measures for these issues are included throughout the body of the Draft EIR and summarized in Table 2-1 of the *Executive Summary* Chapter.

Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 120-5

The commenter's noise concerns are already adequately addressed in the Draft EIR (Chapter 10) and subsequently summarized in the Final EIR. Response to Comment 18-2 of the Final EIR states that, Chapter 10, *Noise*, of the Draft EIR, page 10-21 states that the results of the environmental noise assessment (included as Appendix M of the Draft EIR) for the closest sensitive receptors to the east (approximately 175 feet from center of proposed loading docks area) is estimated to be 53 dB L_{eq} and 69 dB L_{max} , for worst-case daytime hours, and 50 dB L_{eq} and 68 dB L_{max} for worst-case nighttime hours. The predicted loading dock noise exposure levels for both daytime and nighttime activities would exceed the County standards presented in Table 10-4 of the Draft EIR. Therefore, the Draft EIR included Mitigation Measure 10-3(a), requiring a noise barrier along Canal Street six to eight feet in height to reduce future delivery movements and loading dock activity noise levels at the nearest sensitive receptors to below the Placer County standards. Therefore, noise impacts from the proposed project would be reduced to a less-than-significant level with the implementation of the required mitigation measures.

Response to Comment 120-6

See Response to Comment 120-3 above. Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 120-7

The LOS standards identified in the ABCP determine which levels of service are considered acceptable and unacceptable. The LOS standards do not state that a project cannot have significant traffic impacts; rather they are intended to provide practitioners and decision-makers with a rule as to how to determine significant traffic impacts. For impacts determined to be significant per the LOS thresholds set forth in the ABCP, mitigation measures must be set forth to reduce impacts to the extent feasible. Should feasible mitigation measures not exist, an impact would remain significant and unavoidable.

As summarized in Response to Comment 35-15 of the Final EIR, Chapter 8, *Transportation and Circulation*, and Chapter 18, *Cumulative Impacts and Other CEQA Sections*, of the Draft EIR, demonstrate that the majority of traffic impacts resulting from the proposed project's contribution of traffic to the surrounding roadway network would be less-than-significant with implementation of the mitigation measures required in the Draft EIR. However, as noted in Chapter 18, certain traffic impacts would remain significant and unavoidable, as follows:

Project-Level Traffic Impacts

- The proposed project would result in a significant and unavoidable impact related to lane queuing under the Short Term Plus Project Conditions scenario for northbound left turns at the intersection of SR 49/Dry Creek Road, as identified in Impact Statement 8-6.

Cumulative Traffic Impacts

- The proposed project would result in a significant and unavoidable impact related to the SR 49/Bell Road intersection under the Cumulative Plus Project Conditions scenario, as identified in Impact Statement 18-5.
- The proposed project would result in a significant and unavoidable impact related to arterial segments under the Cumulative Plus Project Conditions scenario identified in Impact Statement 18-6.
- The proposed project would result in a significant and unavoidable impact related to lane queuing under the Cumulative Plus Project Conditions scenario identified in Impact Statement 18-8.

The reasons for which these impacts would remain significant and unavoidable are set forth in the respective sections of the Draft EIR. Generally, the reasons are centered on the fact that the roadway improvements needed to mitigate the project's impact would result in impacts to existing properties/businesses. In order for the decision-makers to approve the proposed project, per CEQA Guidelines Section 15091, the decision-makers will need to make one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the final EIR.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

In addition, per CEQA Guidelines Section 15093, CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed

project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered “acceptable.”

When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

It is important to note that significant traffic impacts identified in the Draft EIR are not necessarily indicative of conditions that would be considered a safety hazard. In fact, according to County records, during the timeframe of January 2004 to December 2009, there were five reported accidents at or near Luther Road/Canal Street intersection. One of the five was at the intersection of Canal Street and Luther Road. The other four occurred east of the intersection and were unrelated to the existing intersection operation. During the same timeframe there were zero reported traffic collisions along the Luther Road segment between the Luther Road/SR 49 intersection and the Luther Road/Canal Street intersection. It was determined during the Draft EIR analysis that this data did not support the need for a potentially significant finding related to vehicular safety.

Response to Comment 120-8

The commenter's concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR. Response to Comment 1-3 of the Final EIR states that, the Luther Road/Canal Street intersection would operate acceptably under the Existing Plus Project scenario, and while the addition of project traffic in the Short Term scenario would degrade the Luther Road/Canal Street intersection from acceptable LOS C in the PM to unacceptable LOS E, the proposed project is required to mitigate impacts associated with Short Term and Cumulative Conditions at this intersection through payment of applicable Capital Improvement Program (CIP) fees, which will ultimately fund the construction of this signal when appropriate. Furthermore, the signalization of the Luther Road/Canal Street intersection will include design of appropriate “signal ahead” signs consistent with standards recommended within the Placer County and Manual of Uniform Traffic Control Design (MUTCD). The MUTCD is a document issued by the Federal Highway Administration (FHWA) of the United States Department of Transportation (USDOT) to specify the standards by which traffic signs, road markings (see lane), and signals are designed, installed, and used. With the future signalization improvements, the intersection of Luther Road/Canal Street is projected to operate at LOS A (Highway Capacity Manual defines LOS A as turning movements are easily made, and nearly all drivers find freedom of operation). As such, the intersection of Luther Road/Canal Street will not be congested. It is also important to note that the signalization of the Luther Road/Canal Street intersection will entail interconnection with

the existing SR 49/Luther Road signal to prevent back ups from Luther Road interfering with southbound left-turn traffic from SR 49.

In addition, accident history along Canal Street was analyzed with the project EIR preparation. During the timeframe of January 2004 to December 2009, there were four reported accidents along the Canal Street segment north of Luther Road. One of the three was at the intersection of Canal Street and Luther Road. The other three occurred north of the intersection with Luther Road. It was determined during the EIR preparation that this data did not support the need for a potentially significant finding related to vehicular and/or pedestrian safety.

Response to Comment 120-9

Alternatives are required by CEQA to avoid one or more significant environmental impacts resulting from the proposed project, while still meeting most of the basic objectives of the proposed project. Alternatives are not necessarily required to be consistent with every goal and policy in applicable land use planning documents if this would result in violation of CEQA requirements for alternatives. Furthermore, as noted by the commenter, the Draft EIR already includes an evaluation of a Mixed Use Alternative.

As discussed in Response to Comment 24-11 of the Final EIR, the Draft EIR does not state that NOA occurs in on-site rock. In fact, page 9-14 of the Draft EIR states that:

The geotechnical report prepared for the project site in 2004 indicates that, with the exception of a trace amount of chrysotile in one sample (less than one percent), NOA was not present on-site, and mineralogic analysis did not reveal the presence of NOA (See Appendix N).

However, it is out of an abundance of caution that the Draft EIR concludes, “[...] although unlikely, the potential still exists for airborne NOA to result in adverse impacts to sensitive receptors during construction activities.” Rule 228, Fugitive Dust, enforced by the PCAPCD, contains measures to protect against exposure to airborne NOA. Compliance with this rule is required in Draft EIR Mitigation Measure 9-1(a)(i).

Response to Comment 120-10

See Response to Comment 120-1 above.

Response to Comment 120-11

As noted on page 7-10 of Chapter 7, *Visual Resources*, of the Draft EIR, and Response to Comment 38-11 of the Final EIR, photo simulations of the site were prepared by a professional consultant. The simulations include existing and proposed future (5-Year and 10-Year) views with the project from four different locations (See Figures 7-7 through 7-14 of Chapter 7). The photo simulations depict existing and proposed future

views with the project looking northeast, north, west, and southeast toward the project site. The landscaping illustrated in the proposed future views is based upon the details shown on the conceptual landscape plan for the project (See Figure 7-15 of Chapter 7).

As depicted in Figures 7-13 and 7-14 of Chapter 7, from Canal Street at Erin Drive, residents and travelers along Canal Street currently have a mostly unobstructed view of the project site, with the exception of a few existing trees along the border of the project site. In addition, as evident in Figure 7-13, a few prominent oak trees on-site are visible to residents and travelers along Canal Street. The figures also depict the views from Canal Street at Erin Drive with implementation of the proposed project, and generally illustrate the change in character of the site from a largely undeveloped and open setting to a commercially developed site, albeit one screened with substantial landscaping. In five years, residents and travelers along Canal Street would have a view of the eight-foot-tall masonry block wall that would be constructed as part of the project. Above the wall, the upper portion of the proposed building would be partially visible through the limited areas where proposed landscaping is not continuous. Consistent with the goals and policies in the PCGP and the ABCP, the wall would be set back 10 feet from Canal Street and dense landscaping would be provided within this 10-foot setback. In addition, vines would be planted along the face of the proposed wall for aesthetic purposes. Furthermore, Deodar cedars would be planted on the east side (Canal Street) of the wall. Deodar cedars are evergreen, which means that they retain their leaves throughout the year, thereby providing a consistent screen. London Plane trees would be planted on the opposite, or west, side of the wall in order to hide the upper portion of the proposed building. As indicated in Figure 7-14, in 10 years, the proposed trees would further hide the view of the proposed building.

The Draft EIR also notes that the project design would be subject to the review and approval of the County's Design Review Committee. Design Review would include, but not be limited to, a review of building materials, finishes, and colors, as well as a review of on-site landscaping, exterior lighting, parking, circulation, and signage. The project applicant would be required to sign the resulting Design Review Agreement prior to submittal of improvement plans for the project. Therefore, because the project would be consistent with the goals and policies found in the PCGP and the ABCP for commercial development, and because the project would be subject to a Design Review Agreement, impacts to the existing visual character or quality of the site and the site's surroundings would be *less-than-significant*.

Response to Comment 120-12

As stated in Response to Comment 120-5 above, the commenter's noise concerns are already adequately addressed in the Draft EIR (Chapter 10) and subsequently summarized in the Final EIR. Response to Comment 18-2 of the Final EIR states that, Chapter 10, *Noise*, of the Draft EIR, page 10-21 states that the results of the environmental noise assessment (included as Appendix M of the Draft EIR) for the closest sensitive receptors to the east (approximately 175 feet from center of proposed loading docks area) is estimated to be 53 dB L_{eq} and 69 dB L_{max} , for worst-case daytime

hours, and 50 dB L_{eq} and 68 dB L_{max} for worst-case nighttime hours. The predicted loading dock noise exposure levels for both daytime and nighttime activities would exceed the County standards presented in Table 10-4 of the Draft EIR. Therefore, the Draft EIR included Mitigation Measure 10-3(a), requiring a noise barrier along Canal Street six to eight feet in height to reduce future delivery movements and loading dock activity noise levels at the nearest sensitive receptors to below the Placer County standards. Therefore, noise impacts from the proposed project would be reduced to a less-than-significant level with the implementation of the required mitigation measures.

Response to Comment 120-13

While the Draft EIR acknowledges the project will result in an increase in noise levels along surrounding roadways, the Draft EIR must, in accordance with CEQA directives, determine whether these noise level increases would be considered significant, using the lead agency's relevant thresholds of significance. As discussed in Impact 10-2 of the Draft EIR,

Option 1 – Discount Club

As shown in Table 10-9, the majority of the predicted project-related traffic noise level increases would not result in any overall change to the existing ambient noise levels. However, four roadway segments would experience slight increases to the existing transportation-related ambient noise levels with project implementation under development Option 1. The roadway segments and corresponding thresholds (based on existing noise levels) for the four segments predicted to have project-related increases are:

- The existing noise level for Luther Road between Dairy Road and Bowman Road is between 60 and 65 dB, which has a corresponding noise increase threshold of 3 dB (Table 10-7). The predicted 1 dB increase for the roadway segment would not exceed the +3 dB threshold.
- The existing noise level for Canal Street, north of the project driveway is less than 60 dB, which has a corresponding noise increase threshold of 5 dB (Table 10-7). The predicted +3 dB increase for the roadway segment would not exceed the +5 dB threshold.
- The existing noise level for Canal Street between the project driveway and Luther Road is less than 60 dB, which has a corresponding noise increase threshold of 5 dB (Table 10-7). The predicted +2 dB noise increase would not exceed the +5 dB threshold.
- The existing noise level for Edgewood Road, west of SR 49 is less than 60 dB, which has a corresponding noise increase threshold of 5 dB (Table 10-7). The predicted +1 dB increase would not exceed the +5 dB threshold.

As none of the predicted traffic-related noise increases would exceed the applicable noise increase threshold standards, development of Option 1 would result in *less-than-*

significant impacts related to potential increases to the ambient noise environment from project-related increases in traffic operations.

Option 2 – Discount Superstore

As presented in Table 10-10, the majority of the project-related predicted traffic noise increases under Option 2 would result in five roadway segments with a slight increase in the existing transportation-related ambient noise levels. The roadway segments and corresponding thresholds (based on existing noise levels) for the four segments predicted to have project-related increases are:

- The existing noise level for Luther Road between SR 49 and Canal Street is between 60 and 65 dB, which has a corresponding noise increase threshold of 3 dB (Table 10-7). The predicted +1 dB noise increase would not exceed the +3 dB threshold.
- The existing noise level for Luther Road between Dairy Road and Bowman Road is between 60 and 65 dB, which has a corresponding noise increase threshold of 3 dB (Table 10-7). The predicted +1 dB noise increase would not exceed the +3 dB threshold.
- The existing noise level for Canal Street, north of the project driveway is less than 60 dB, which has a corresponding noise increase threshold of 5 dB (Table 10-7). The predicted +4 dB noise increase would not exceed the +5 dB threshold.
- The existing noise level for Canal Street between the project driveway and Luther Road is less than 60 dB, which has a corresponding noise increase threshold of 60 dB (Table 10-7). The predicted +2 dB noise increase would not exceed the +5 dB threshold.
- The existing noise level for Edgewood Road, west of SR 49 is less than 60 dB, which has a corresponding noise increase threshold of 5 dB (Table 10-7). The predicted +1 dB noise increase would not exceed the +5 dB threshold.

As with Option 1, development of Option 2 would not result in traffic-related noise increases that would exceed the applicable thresholds. Therefore, the development of either Options 1 or 2 would result in **less-than-significant** impacts related to potential increases to the ambient noise environment from project-related increases in traffic operations.

Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 120-14

As noted in Response to Comment 1-1 of the Final EIR, the Luther Road/Canal Street intersection would operate acceptably under the Existing Plus Project scenario, and while the addition of project traffic in the Short Term scenario would degrade the Luther

Road/Canal Street intersection from acceptable LOS C in the PM to unacceptable LOS E, the future signal installation required in Draft EIR Mitigation Measure 8-3(b) would improve operations to an acceptable LOS. With the future signalization improvements, the intersection of Luther Road/Canal Street is projected to operate at LOS A (Highway Capacity Manual defines LOS A as turning movements are easily made, and nearly all drivers find freedom of operation). As such, the intersection Luther Road/Canal Street will not be congested. Furthermore, an intersection is typically the “control point” in the roadway system, as failures at intersections typically lead to failures in the roadway system. Since the “control point” in this instance (the intersection of Luther Road/Canal Street) is not projected to be congested, Canal Street would operate acceptably. Therefore, improvements to Canal Street are not required.

In addition, accident history along Canal Street was analyzed with the project EIR preparation. During the timeframe of January 2004 to December 2009, there were four reported accidents along the Canal Street segment north of Luther Road. One of the three was at the intersection of Canal Street and Luther Road. The other three occurred north of the intersection with Luther Road. It was determined during the EIR preparation that this data did not support the need for a potentially significant finding related to vehicular and/or pedestrian safety.

Since the release of the Draft EIR for public review, a travel time study was completed by Omni-Means for the alleged alternate route consisting of Oak Ridge Road, Hyde Park, Erin Drive and Canal Street. A summary of the travel time runs is provided as Appendix A to this Final EIR. The study indicated that the travel time for this alternate route will exceed the travel time for the Luther Road and Canal Street route by more than two and half minutes.

Traffic delays associated with future increases in traffic attributed to both the project and other development projects within the study area were ascertained using the traffic model. A total of approximately 30 seconds of additional east/west travel delays are estimated on Luther Road and Canal Street. Taking these future delay increases into account, the alternate route would still add an additional two minutes of travel time in the future. While some drivers may take this alternate route, given the significant travel time differences it is reasonably concluded that only an insignificant amount of traffic would use this route.

Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 120-15

The comment is unclear and lacks specificity. Please see the traffic-related responses above.

Response to Comment 120-16

The commenter's concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR. Response to Comment 34-1 of the Final EIR states that, as noted in the discussion for Impact 4-1 of the Draft EIR, starting on page 4-14 of Chapter 4, *Land Use*, of the Draft EIR, the proposed project is consistent with the PCGP and ABCP land use designations for the site, as well as the current zoning designations for the site. The ABCP currently designates the project site as Commercial and Industrial. The majority of the project site currently has a zoning designation of Commercial Planned Development, Combining Design Scenic Corridor, with Aircraft Over-flight (CPD-Dc-AO). In addition, the southeast portion of the site (APN 052-102-053) is zoned Industrial Park, Combining Design Scenic Corridor, with Aircraft Over-flight (INP-Dc-AO). As further stated on page 4-15 of the Draft EIR,

The 155,000-square-foot retail building, the tenant(s) of which could include a discount club store, a discount superstore, or a general retailer, in addition to a fueling station, would be more compatible with the surrounding residential development than other uses that could potentially be developed under the CPD-DC-AO zoning designation. Allowable uses under the CPD-DC-AO zoning designation include, but are not limited to, the following: manufacturing and processing uses, automotive sales, storage services, heliports, and transit stations and terminals. It should be noted that these types of uses could potentially create greater impacts to adjacent sensitive receptors in comparison to the proposed project – especially impacts related to air quality and noise.

Therefore, the project site is currently designated for commercial development, and contrary to the assertions made by the commenter, the project site is not located in an outlying area.

Regarding trees, as discussed under Impact 5-5 of the Draft EIR, the development of the Bohemia Retail project would result in the conversion of approximately 2.07 acres of contiguous on-site oak woodland in the northeastern portion of the project site, primarily along the current alignment of the Fiddler Green Canal. Other small clumps of oaks exist elsewhere on-site; these oaks would be removed to enable development of the project. Based upon the plans submitted, a number of the oaks on the project site would be impacted as a result of site development activities within the drip-line (e.g., parking lot grading and paving, undergrounding of Fiddler Green Canal, and the grading and trenching required for the installation of roadways and utilities). Regardless of any statements made to the commenter by the developer, the Draft EIR does not state that on-site oak trees are “sick and need to be removed.” The reason for removal specified in the Draft EIR is in order to accommodate the proposed project. As a result, the developer is required to mitigate the loss of oak trees per the County's Tree Preservation Ordinance.

Response to Comment 120-17

See the above Responses to Comments.

Response to Comment 120-18

The EIR is not intended to make a judgment on whether or not the project, as proposed by the applicant, should be approved or denied. The purpose of the EIR, according to CEQA Guidelines, is to evaluate and identify the potential physical environmental impacts resulting from construction and operation of the proposed project, and subsequently identify feasible mitigation measures to avoid or reduce impacts. The decision to approve or deny the proposed project is the responsibility of the County decision-makers. The No Canal Street Access Alternative has been enhanced in the *Introduction and List of Commenters* Chapter of this Final EIR to provide more detailed discussion of the potential physical impacts associated with the implementation of this Alternative. The No Canal Street Access Alternative analysis contained in Chapter 17, *Alternatives*, of the Draft EIR, as further enhanced in the *Introduction and List of Commenters* Chapter of the Final EIR, provides sufficient detail to enable the County decision-makers to approve the No Canal Street Access Alternative, should they elect to do so. The commenter's opinions regarding the proposed project have been forwarded to the decision-makers for their consideration.

Furthermore, as discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Letter 121

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

121-1

I We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project – No Build Alternative. The negative impact on the neighboring communities in the already worst-

121-2

congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our health and peaceful existence in our wonderful community. A big box store has no business being in the backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a

121-3

small neighboring street that will create a traffic situation for which there is no good solution, certainly not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this proposed entrance could bring hundreds of vehicles looking for an alternate route through the various developments from Oak Ridge Road. The project is across from a park where children play and swim and

121-4

they should continue to do so in a safe and clean environment. There is a potential increase of crime especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The completion of this project would result in destroying my your quality of life. Hundreds of home values will decrease as the desirability to live in this area will diminish. Please do not allow this project to proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

LARI L. KNEDEL

Print name(s)

Lari L. Knedel

Sign name(s)

121-5

13180 ERIN DR. Lot #72

Address

Additional Comments:

I agree whole-heartedly!

Letter 121: Knedel Lari L., Resident (Petition)

As stated above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104).

Response to Comment 121-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 121-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 121-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 121-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 121-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Letter 122

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 122-1 I We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project –
122-2 No Build Alternative. The negative impact on the neighboring communities in the already worst-
congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
122-3 traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

TERIE DAVIS
Print name(s)
Terie Davis
Sign name(s)
13180 E. Denise, Auburn
Address

Additional Comments:

- 122-6 I strongly oppose the secondary access off Canal in the DEIR. The
proposed additional 1600 cars (i.e., 15% of the 10,773 "new" trips) will
cause gridlock on this two lane road. The proposed light at Luther / Canal
its will result in traffic accidents and prevent the residents in the neighboring
122-7 trail park from entering and exiting their driveway. Luther Rd is already
a bottleneck as a result of the number of cars turning left on St 49 - the merge
lane as almost caused me to be hit several times and run off the road.

Letter 122: Davis, Terre, Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the “Additional Comments” section of the petitions. However, as demonstrated below in Responses to Comments 122-6 and 122-7, these “Additional Comments” are already addressed throughout the previously released Final EIR for Bohemia Retail.

Response to Comment 122-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 122-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 122-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 122-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 122-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Response to Comment 122-6

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 122-7

The commenter’s concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR. Response to Comment 1-3 of the Final EIR states that, the Luther Road/Canal Street intersection would operate acceptably under the Existing Plus Project scenario, and while the addition of project traffic in the Short Term scenario would degrade the Luther Road/Canal Street intersection from acceptable LOS C in the PM to unacceptable LOS E, the proposed project is required to mitigate impacts associated with Short Term and Cumulative Conditions at this intersection through payment of applicable Capital Improvement Program (CIP) fees, which will ultimately fund the construction of this signal when appropriate. Furthermore, the signalization of

the Luther Road/Canal Street intersection will include design of appropriate “signal ahead” signs consistent with standards recommended within the Placer County and Manual of Uniform Traffic Control Design (MUTCD). The MUTCD is a document issued by the Federal Highway Administration (FHWA) of the United States Department of Transportation (USDOT) to specify the standards by which traffic signs, road markings (see lane), and signals are designed, installed, and used. With the future signalization improvements, the intersection of Luther Road/Canal Street is projected to operate at LOS A (Highway Capacity Manual defines LOS A as turning movements are easily made, and nearly all drivers find freedom of operation). As such, the intersection of Luther Road/Canal Street will not be congested. It is also important to note that the signalization of the Luther Road/Canal Street intersection will entail interconnection with the existing SR 49/Luther Road signal to prevent back ups from Luther Road interfering with southbound left-turn traffic from SR 49.

Letter 123

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 123-1 I/We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project –
No Build Alternative. The negative impact on the neighboring communities in the already worst-
123-2 congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
123-3 small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
123-4 they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
123-5 will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

Kenny King

Print name(s)

Kenny King

Sign name(s)

12365 KRISTA LANE

Address

Additional Comments:

123-6

not only should it be considered to have traffic
on Canal, there are old oak trees and
owls that live there. It is all a negative
impact on our area.

Letter 123: King, Kenny, Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the “Additional Comments” section of the petitions. However, as demonstrated below in Response to Comment 123-6, these “Additional Comments” are already addressed throughout the previously released Final EIR for Bohemia Retail.

Response to Comment 123-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 123-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 123-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 123-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 123-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Response to Comment 123-6

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Regarding the commenter’s concerns about oak trees and owls, Response to Comment 40-9 of the Bohemia Retail Final EIR states:

The project’s impact to oak trees is addressed in Impact 5-5 of Chapter 5, *Biological Resources*, of the Draft EIR. As discussed, the development of the Bohemia Retail project would result in the conversion of approximately 2.07 acres of contiguous on-site oak woodland in the northeastern portion of the project site, primarily along the current alignment of the Fiddler Green Canal. Other small clumps of oaks exist elsewhere on-site; these oaks would be removed to enable development of the project. Based upon the plans submitted, a number of the oaks on the project site would be impacted as a result of site development activities within the drip-line (e.g., parking lot grading and paving,

undergrounding of Fiddler Green Canal, and the grading and trenching required for the installation of roadways and utilities).

The County has determined that implementation of the following measures, either singularly or in combination, would provide mitigation consistent with the requirements of the CEQA Guidelines Section 21083.4:

- Submit payment of fees for oak woodland conservation at a 2:1 ratio consistent with Chapter 12.16.080 (C) Placer County Tree Preservation Ordinance—Replacement Programs and Penalties. These fees shall be calculated based upon the current market value for similar oak woodland acreage preservation and an endowment to maintain the land in perpetuity;
- Purchase off-site conservation easements at a location approved by Placer County to mitigate the loss of oak woodlands at a 2:1 ratio;
- Provide for a combination of payment to the Tree Preservation Fund and creation of an off-site Oak Preservation Easement;
- Plant and maintain an appropriate number of trees in restoration of an approved former oak woodland (tree planting is limited to half the mitigation requirement); and/or
- Single trunk trees within the project impact area that are greater than 24 inches dbh shall be mitigated for at an inch for inch basis. Multi-stemmed trees with trunks less than 12 inches dbh shall not be included in this calculation.

The County's Oak Woodland Policy recommends payment of \$24,000 per acre of woodland impacted to be deposited into the Placer County Tree Preservation Fund. The Fund will be used for the purchase of conservation easements within the County where existing oak woodlands that form a contiguous habitat can be permanently set aside. This method of conservation is consistent with the provisions of Senate Bill 1334 and with requirements of the CEQA Guidelines Section 21083.4.

County policy also requires that any protected trees 24 inches or greater dbh that could be impacted by project activity be mitigated above and beyond the standard acreage payment. Oaks of this size are considered "Significant Trees" due to the length of time required for them to reach their size. Mitigation for these trees is set at \$100 per inch dbh. In total, there are five trees on site that meet this standard. Combined, they total 155 inches dbh, so mitigation for the loss or impact to these trees would be \$15,500. Therefore, the mitigation figure to offset the impacts to oaks and oak woodlands in conjunction with the proposed project would be \$65,180. The Draft EIR includes Mitigation Measure 5-5, requiring the applicant to submit to the Placer County Tree Preservation Fund payment in the amount of \$65,180 for impacts to oak woodlands. This payment must be received prior to any site disturbance.

[...]

Regarding bird species, the Draft EIR includes Mitigation Measures 5-2 and 5-3(a) and (b) to ensure that project construction activities do not result in adverse impacts to nesting raptors and other migratory birds and burrowing owl, respectively, should they be found to occur on-site prior to construction.

Letter 124

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 124-1 I/We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project -
No Build Alternative. The negative impact on the neighboring communities in the already worst-
124-2 congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
124-3 small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
124-4 they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
124-5 will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

GERALD D KING

Print name(s)

G. King

Sign name(s)

12365 KRISTA LANE

Address

Additional Comments:

- 124-6 Canal should not be
considered to hold so much traffic.
Make another entrance through the
1st phase and exit onto Luther
there.

Letter 124: King, Gerald, D., Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the “Additional Comments” section of the petitions. However, as demonstrated below in Response to Comment 124-6, these “Additional Comments” are already addressed throughout the previously released Final EIR for Bohemia Retail.

Response to Comment 124-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 124-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 124-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 124-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 124-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Response to Comment 124-6

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Letter 125

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 125-1 I/We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project –
No Build Alternative. The negative impact on the neighboring communities in the already worst-
125-2 congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
125-3 small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
125-4 they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
125-5 will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

CHRISTINA KING
Print name(s)


Sign name(s)

12365 KRISTA LANE
Address

Additional Comments:

- 125-6 I KNOW IT IS HARD TO IMAGINE WHEN YOU
DON'T LIVE IN THIS NEIGHBORHOOD BUT IT
WOULD BE A TERRIBLE CHANGE FOR ALL
OF US HERE. PLEASE HELP AND KEEP
THIS TRAGEDY OFF CANAL.

Letter 125: King, Christina, Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the “Additional Comments” section of the petitions. However, as demonstrated below in Response to Comment 125-6, these “Additional Comments” are already addressed throughout the previously released Final EIR for Bohemia Retail.

Response to Comment 125-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 125-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 125-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 125-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 125-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Response to Comment 125-6

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Letter 126

February 25, 2010
1772 Tracy Lane
Auburn, Ca. 95603

Placer County Planning Commission
3091 County Center Drive,
Auburn, Ca. 95603

RE: Bohemia Retail Project

RECEIVED
FEB 25 2010
PLANNING DEPT.

Members of the Placer County Planning Commission

I have several concerns about the Draft EIR as written and the proposed project located on Canal Street. They are:

1. Lack of tenant specific EIR
2. Canal Street Access to project
3. Lack of consistency with Auburn/Bowman Community Plan Policy 12
4. Visual resource destruction through loss of oak trees
5. Noise: Request for limited delivery hours
6. Request to restrict camping
7. Construction of wall along Canal Street - request for graffiti resistant surface
8. Request for undergrounding 3 power poles on Canal Street

1. Lack of tenant specific EIR. By not specifying which tenant will occupy this 155,000 square foot facility, it is difficult for members of the public to provide meaningful feedback and input regarding the environmental impacts of this project. There are significant differences between the impacts of Costco and Wal-Mart on a community, specifically one backed up to a residential neighborhood. Those differences include but are not limited to hours of operation, number of generated traffic trips, and significant differences in public safety responses. The Wal-Mart stores in Roseville generate 3 times the law enforcement activity than the Costco in the same city. Roseville Police Department responds to or takes action at each Wal-Mart on average more than two times a day for a wide variety of incidents. Moving forward without specifying the tenant robs the community of the opportunity to fully evaluate the potential impacts, as many persons hope for their favorite store, rather than research the impacts of an

Letter 126
Cont'd.

126-2
Cont'd.

actual designated tenant. This process seems to be a deviation from past practice involving such large projects in Placer County.

2. Canal Street Access is clearly the number one objection to the project as proposed. The draft EIR on page 8-27 indicates there will be 10,773 external trips coming into the project. The draft EIR states that 15% of trips are expected to use Canal Street. That will be 1615 trips per day brought onto a residential street. That simply is not reasonable. Canal Street is 26 feet wide or less at several points. There are no planned improvements to Canal Street itself. Yet the Canal Street driveway for this project, at its most narrow point, will be 36 feet wide, or ten feet wider than the residential street that will serve the project and the adjoining neighborhood.

The given reason for opening Canal Street Access in the Draft EIR is that without it there will be increased congestion on Highway 49 and thus there will be more air pollution. The Draft EIR offers no calculation of how much more this air pollution will be. There are several complicated calculations regarding air pollution in the document, but I found no calculations that support this conclusionary statement. In fact bringing significant amounts of traffic down a residential street and putting in a stop light at Canal and Luther rather than using the multi-lane state Highway, would appear to create more congestion, or idling of vehicles, and thus create some incalculably small amount more air pollution than the no access option. The difference in air pollution between these two options is insignificant. If the amount of air pollution created by the No-Canal Access option was that significant, then the tenant would actually matter, as the traffic trip generation differences between the different tenants is more than 15%. There is an 18% trip count difference between Wal-Mart and Costco.

While Canal Street level of service is poor now and gets worse with adding the 1600+ cars a day, the level of service at the Hulbert Way entrance on Highway 49 stays at nearly the same level of service if Canal is closed, due to substantially larger capacity of that intersection. From my understanding the Hulbert/49 LOS doesn't drop below C and likely stays at B with Canal closed.

Currently there is no stop sign at Erin Drive and Canal Street. Traffic traveling west bound on Erin and turning southbound on Canal Street will very quickly be faced with traffic making left turns into the project driveway or out of the project driveway. This effectively creates an unaligned intersection which I understand increases the risk of traffic accidents.

Many neighbors are concerned that an open access to the project will encourage shoppers to drop off their teenagers at the privately funded park at the corner of Canal and Erin while they shop. The neighbors are concerned this will limit the availability of the park facilities to homeowners, such as the basket ball court, and increase vandalism of the park which will in turn increase costs for members of the funding homeowner's association.

As a graduate of the FBI National Academy's class on community policing and as a 25 year local law enforcement officer I can assure you that bringing large numbers of non-resident traffic into a neighborhood does nothing positive for crime prevention. Limiting the number of ways in and

126-3

Letter 126
Cont'd.

126-3
Cont'd.

out of a neighborhood lowers the desirability for burglars and other criminals as they wish to be able to flee in any direction when necessary. Continuous exposure of a neighborhood to thousands of non-resident persons makes the neighborhood more vulnerable to the criminal element.

At least one Placer County Planner has told me personally that County traffic staff hope that neighborhood traffic will use the private parking lot of the project as a through street to access Highway 49 going north, rather than going out to Luther Road to access Highway 49. I believe this is an inappropriate use and in many jurisdictions such use is illegal. How unfortunate that we are designing to encourage this behavior.

126-4

The project calls for a traffic light at Luther and Canal Street. This light will be one tenth of a mile from Highway 49 at Luther Rd. My understanding is that traffic lights are strongly discouraged from being closer than one quarter mile apart as a good practice. The light will cause traffic to stop both east and west bound on Luther Rd. The traffic will stop west bound Luther Rd and back up several car lengths. A local CHP sergeant concurs with my opinion that west bound traffic will not see the stopped cars in time to stop as they crest the hill at the Woodside Mobile Home park. There will be an increase in rear end accidents at this location.

126-5

Much has made of the concept that local neighbors should have known when they purchased that this land was zoned commercial. That is true. But at least when I purchased my house there was no access from Canal Street to the project lot. Mr. Conkey purchased that access from PG&E much more recently. When many of the neighbors purchased in this residential area, they knew of the potential for development of the property. But never did they believe that the County would encourage the largest retailer in the world to access their residential street for customer use.

126-6

Please restrict the Canal Access to a single fire truck size lane of approximately 15 feet wide for emergency vehicle and pedestrian access only. Canal street lanes are 11 feet wide in places, 15 feet is more than enough room for emergency access.

126-7

3. Lack of consistency with Auburn/Bowman Community Plan Policy 12.

"Through" traffic which must pass through this Plan area shall be accommodated in a manner which will not encourage the use of neighborhood roadways. This through traffic shall be directed to appropriate routes in order to maintain public safety and local quality of life in outlying sections of the Plan area.

Connecting commercial traffic to a residential neighborhood appears to directly contradict this portion of the Community Plan found on page 8-21 of the Draft EIR. In fact the County appears to be deliberately encouraging the use of neighborhood roadways for through traffic. The appropriate routes are Highway 49 and Luther Rd.

Letter 126
Cont'd.



4. Trees - Visual Resources

There are several trees on the project lot. All are slated to be removed. There is one tree specifically that provides significant visual benefit to all who drive west bound on Erin Drive. It is pictured above. It is requested that the driveway/parking for this project be built around this magnificent tree much like was done in the Safeway center on Bell Road. I know of no agency requiring the removal of this tree. It is a visual resource that cannot be replaced in five or ten years.

Another large tree is located at the corner of the Dyer Court fence line and Canal Street. It appears the project developers intend to cut down this very large tree so they can turn around and plant a small one in nearly the exact same place. This will force some neighbors to have a view of the box store building for years longer than necessary while waiting for the newly planted tree to grow.

5. Noise - Delivery time restriction request. The noise section of the draft EIR appears to leave out references to the backup beepers on large delivery trucks. These trucks will use loading areas at the Canal Street side of the store. These beepers are rated at 97 decibels, far greater than numbers I found referenced in the Draft EIR. These trucks will deliver at all hours if allowed. Please restrict these deliveries to normal waking hours for children of 8 am to 8 pm. Allowing later deliveries adjacent to this long established residential neighborhood is not reasonable.

Letter 126
Cont'd.

126-10

6. Camping restriction request. It is well known in the recreational vehicle world that Wal-Mart has a standing company policy of allowing, if not encouraging, overnight camping in their parking lots. This box store is not located alongside a freeway. It is located approximately 100 feet from residential lots. While a box store is intrusive to a neighborhood please do not ask the neighborhood to endure a campground/truck stop as well. RV's bring their generators and other after hour noise that neighbors should not have accept. Please put as a condition on this development that the tenant is responsible for prohibiting and enforcing a no overnight camping provision. As a component of this enforcement appropriate signage should be required.

126-11

7. Construction of wall along Canal Street. I understand there will be an eight foot wall built along Canal Street to hide this project and block sound from it. Please require a combination of construction materials that are both aesthetically pleasing and graffiti resistant. Many walls are seen as a blank canvas for "taggers". The adjacent neighborhood has experienced several incidents of graffiti vandalism. While I am in favor of the wall being there, I request there be a condition on the tenant to be responsible for cleaning all graffiti in a very short period of time. Having the wall made out of appropriate materials would make this easier for the tenant to comply. Allowing graffiti to remain up encourages more graffiti. It must be removed as soon as possible. Since this wall will not be visible to 85% or more of the customers the tenant will have little incentive, outside of a requirement, to maintain the outside of the backside of their perimeter wall.


126-12

8. Power Poles. There are three power poles along Canal Street at the project property. They are the only power poles in the neighborhood. Power is undergrounded throughout the adjacent neighborhood. Since there will be significant excavation for utilities, walls and the like please encourage the undergrounding of these poles. One can see how a recent traffic accident narrowly missed one of these power poles. (The adjacent fence still has not been repaired). Undergrounding these poles would improve the visual landscape of this project and improve the safety of those traveling the roadway.

126-13

Thank you for your consideration of these matters. By far the most detrimental impact on the adjacent neighborhood will be open access onto Canal Street if allowed. Again please restrict that access to one lane emergency access only.

Sincerely,


David Keyes

Letter 126: Keyes, David, Resident

Response to Comment 126-1

The comment is an introductory comment that gives an overview of the concerns addressed in more detail in the comments that follow in the letter. Please see Responses to Comments 126-2 through 126-13.

Response to Comment 126-2

As stated in Response to Comment 13-2 of the Bohemia Retail Final EIR, Chapter 3 of the Draft EIR, *Project Description*, makes it clear that the Bohemia Retail Draft EIR evaluates, at an equal-level, the potential impacts resulting from implementation of two potential tenant types -- a discount club store and a discount superstore -- in order to evaluate the potential environmental impacts resulting from a range of uses. Impacts to law enforcement services are addressed in the Draft EIR, page 13-21. The Draft EIR concludes that a potentially significant impact would result regarding police services and provides mitigation that would reduce the identified impact to a less-than-significant level. Furthermore, as noted in Response to Comment 1-22 of the Final EIR,

Regarding fire protection services, please refer to Response to Comment 2-2. Regarding police protection services, the Draft EIR includes Mitigation Measure 13-6, which requires proof of notification from the County Sheriff's Department that adequate police services can be provided. Further, the proposed project would generate property and sales tax, which would be used, in part, for needed law enforcement services. As discussed in the Urban Decay and Fiscal Analysis prepared for the project (see Appendix U to the Draft EIR) by Economic Research Associates (ERA), the Sheriff's Department conducted an impact evaluation for this project. The report addresses needs for sworn and support personnel, as well as equipment needed to provide police monitoring and protection for the project. The Sheriff's Department estimated the costs associated with this project to be \$17,629, annually. As shown in Table 25 of the Urban Decay and Fiscal Analysis, ERA estimated annual public safety costs to the County for the proposed project at \$24,800, using the adjusted Hausrath factors. This includes the Public Safety Fund cost estimates as well as the General Fund's Contribution to public safety. However, Tables B and B.1 of the Urban Decay and Fiscal Analysis show surplus revenue of between approximately \$403,150 and \$847,577 after accounting for all County costs to serve the project (actual revenue amount will depend on amount of existing retail sales diverted by the project), which includes law enforcement services. Therefore, the project would generate substantially more than enough revenue to cover all of the County's costs to service the project.

Response to Comment 126-3

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 126-4

The commenter's concerns are already adequately addressed in the Draft EIR and subsequently summarized in the Final EIR. Response to Comment 1-3 of the Final EIR states that, the Luther Road/Canal Street intersection would operate acceptably under the Existing Plus Project scenario, and while the addition of project traffic in the Short Term scenario would degrade the Luther Road/Canal Street intersection from acceptable LOS C in the PM to unacceptable LOS E, the proposed project is required to mitigate impacts associated with Short Term and Cumulative Conditions at this intersection through payment of applicable Capital Improvement Program (CIP) fees, which will ultimately fund the construction of this signal when appropriate. Furthermore, the signalization of the Luther Road/Canal Street intersection will include design of appropriate "signal ahead" signs consistent with standards recommended within the Placer County and Manual of Uniform Traffic Control Design (MUTCD). The MUTCD is a document issued by the Federal Highway Administration (FHWA) of the United States Department of Transportation (USDOT) to specify the standards by which traffic signs, road markings (see lane), and signals are designed, installed, and used. With the future signalization improvements, the intersection of Luther Road/Canal Street is projected to operate at LOS A (Highway Capacity Manual defines LOS A as turning movements are easily made, and nearly all drivers find freedom of operation). As such, the intersection of Luther Road/Canal Street will not be congested. It is also important to note that the signalization of the Luther Road/Canal Street intersection will entail interconnection with the existing SR 49/Luther Road signal to prevent back ups from Luther Road interfering with southbound left-turn traffic from SR 49.

Response to Comment 126-5

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 126-6

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 126-7

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Response to Comment 126-8

Please see Response to Comment 123-6 for a discussion of trees. In addition, as noted in Response to Comment 40-9 of the Bohemia Retail Final EIR, the final project design is subject to the review and approval of the County's Design Review Committee. Design Review would include, but not be limited to, a review of building materials, finishes, and colors, as well as a review of exterior lighting, parking, circulation, signage, and on-site landscaping, including the feasibility of incorporating the existing on-site large oak trees into the overall project design. The project applicant would be required to sign the resulting Design Review Agreement prior to submittal of improvement plans for the project.

Response to Comment 126-9

As stated on page 10-14 of the Noise Chapter of the Bohemia Retail Draft EIR (Chapter 10) concerning the methodology for measuring operational noise levels, including noise from stationary sources, such as the project's loading dock:

Other Noise Measurements

Data collected to represent truck delivery noise estimates were gathered by Bollard Acoustical Consultants, Inc. in June 2008 at a Sacramento area truck stop. Measurements of 20 tractor-trailer truck pass-bys were recorded, including six refrigeration trucks. Based on the gathered data, trucks en route to and from a loading dock are estimated to produce an average SEL and Lmax of approximately 83 dB and 75 dB, respectively (at a distance of 50 feet).

Expected worse-case loading dock noise levels were recorded on August 16, 2008 at the Super Walmart store located in Citrus Heights, California as part of a long-term noise level survey (August 15-18, 2008), the loading dock measurements were recorded by Bollard Acoustical Consultants, Inc. at the store's four loading dock bay, at a distance of 100 feet. Measured loading dock operations were recorded at 58 dB Leq/74 dB Lmax and 55 dB Leq/73 dB Lmax for worst-case daytime and nighttime conditions, respectively. The reference loading dock noise levels were adjusted by -5 dB to account for the increased spherical spreading loss (-6 dB per doubling of distance). In addition, it should be noted not more than two Walmart trucks used the facility during the heaviest use hours. Therefore, this measurement data is assumed to be applicable to worst-case operations associated with the proposed project's two-truck docks. Furthermore, Bollard Acoustical Consultants, Inc. estimated that not more than one of the proposed six daily truck deliveries could occur during the nighttime hours (6:00 AM to 7:00 AM or 10:00 PM to 12:00 AM).

The fact that these comparative noise level measurements accounted for back-up beepers is clear from page 13 of the Environmental Noise Assessment, which states in relevant part:

Loading Docks

The proposed project loading docks will have a capacity of two trucks, and will be below the project building grade so that retail goods are unloaded at the building pad level. Primary noise sources associated with the project loading docks would include heavy trucks stopping (air brakes), backing into the docks (back-up alarm), refrigeration units for trucks carrying perishable food items (at idle), and pulling out of the loading docks area (revving engine). Noise associated with the moving of merchandise from the trucks into the store would also contribute, but would be largely contained within the trucks and store structures.

Expected worst-case loading docks noise levels were recorded on August 16, 2008 at the Citrus Heights Super Wal-Mart facility as part of a long-term noise level survey (August 15-18, 2008). Measurements were taken at a distance of 100 feet from the center of the loading docks area. Measured noise exposure from loading docks operations was 58 dB Leq/74 dB Lmax and 55 dB Leq/73 dB Lmax for worst-case daytime and nighttime hours, respectively. It is assumed that this measurement data represents all loading docks activities, including the sources described above and truck movements to and from the docks. The Citrus Heights Super Wal-Mart loading docks facility has a four truck capacity, but it is assumed that no more than two Wal-Mart trucks used the facility during the heaviest use hours. Therefore, this measurement data is assumed to be applicable to worst-case operations associated with the project's two-truck docks.

On page 10-21 of the Noise Chapter, the Draft EIR concludes that:

To determine potential loading dock noise levels associated with the proposed project, the technical noise assessment (included as Appendix M of the Draft EIR) utilized representative noise level measurements for various loading docks in the Sacramento region and applied them to the project site and vicinity. The results of the noise measurement analysis for the closest sensitive receptors to the east (approximately 175 feet from center of proposed loading docks area) was estimated to be 53 dB Leq and 69 dB Lmax, for worst-case daytime hours, and 50 dB Leq and 68 dB Lmax for worst-case nighttime hours. The predicted loading dock noise exposure levels for both daytime and nighttime activities would exceed the County standards presented in Table 10-4; therefore, loading dock activities associated with the proposed project are considered as a *potentially significant* impact.

In order to specifically address this impact and reduce the impact to a less-than-significant level, the Draft EIR includes Mitigation Measure 10-3(a):

- 10-3(a) *Prior to the approval of improvement plans, a noise barrier shall be shown on the plans along the boundary of any residential property line (located to the north, northeast, and east) affected from increased noise levels determined in this Draft EIR (shown conceptually in Figure 10-1), for the review and approval of the Placer County Planning Department. A noise barrier six to eight feet in height would be required to reduce future delivery movements and loading dock activity noise levels below the Placer County standards. Barriers could take the form of earth berms, solid walls, or a combination of the two. Appropriate materials for noise walls include precast concrete or masonry block. Other*

materials may be acceptable provided they have a density of approximately four pounds per square foot.

Response to Comment 126-10

As noted in Response to Comment 1-21 of the Final EIR, a condition of approval for the proposed project will prohibit overnight camping. Outdoor parking lot tent sales are not proposed as part of the project but would be considered by the County with an application for a Temporary Outdoor Event permit.

Response to Comment 126-11

The sound wall along Canal Street required per Draft EIR Mitigation Measure 10-3(a) will be screened with both vine and tree plantings, which will prevent vandalism from occurring to the bare face of the wall. As depicted in Figures 7-13 and 7-14 of the Draft EIR, the proposed wall would be set back 10 feet from Canal Street and dense landscaping would be provided within this 10-foot setback. In addition, vines would be planted along the face of the proposed wall for aesthetic purposes. Furthermore, Deodar cedars would be planted on the east side (Canal Street) of the wall. Deodar cedars are evergreen, which means that they retain their leaves throughout the year, thereby providing a consistent screen.

Response to Comment 126-12

As illustrated in Figures 7-13 and 7-14 of the Draft EIR, the above-ground power poles are proposed to remain along Canal Street. The figures also depict the views from Canal Street at Erin Drive with implementation of the proposed project, and generally illustrate the change in character of the site from a largely undeveloped and open setting to a commercially developed site, albeit one screened with substantial landscaping. In five years, residents and travelers along Canal Street would have a view of the eight-foot-tall masonry block wall that would be constructed as part of the project. Above the wall, the upper portion of the proposed building would be partially visible through the limited areas where proposed landscaping is not continuous, and the existing power lines would also be visible. Consistent with the goals and policies in the PCGP and the ABCP, the wall would be set back 10 feet from Canal Street and dense landscaping would be provided within this 10-foot setback. In addition, vines would be planted along the face of the proposed wall for aesthetic purposes. Furthermore, Deodar cedars would be planted on the east side (Canal Street) of the wall. Deodar cedars are evergreen, which means that they retain their leaves throughout the year, thereby providing a consistent screen. London Plane trees would be planted on the opposite, or west, side of the wall in order to hide the upper portion of the proposed building. These Deodar Cedar and London Plane trees would also serve to soften the appearance of the existing power lines given the vegetative background that would be provided behind the lines as opposed to the current unobstructed sky behind the power lines, which in many ambient conditions serves to provide a dark and light contrast with the existing power lines.

In summary, the Draft EIR concludes on page 7-21 that the proposed landscaping would be designed to be consistent with the goals and policies found in the PCGP and the ABCP, as well as the applicable design guidelines for the Auburn/Bowman community. It should be noted that the project design would be subject to the review and approval of the County's Design Review Committee. Design Review would include, but not be limited to, a review of building materials, finishes, and colors, as well as a review of on-site landscaping, exterior lighting, parking, circulation, and signage. The project applicant would be required to sign the resulting Design Review Agreement prior to submittal of improvement plans for the project.

Therefore, because the project would be consistent with the goals and policies found in the PCGP and the ABCP for commercial development, and because the project would be subject to a Design Review Agreement, impacts to the existing visual character or quality of the site and the site's surroundings would be *less-than-significant*.

Regarding the commenter's safety concerns with the existing power poles along Canal Street, it is noted that accident history along Canal Street was analyzed with the project EIR preparation. During the timeframe of January 2004 to December 2009, there were four reported accidents along the Canal Street segment north of Luther Road. One of the three was at the intersection of Canal Street and Luther Road. The other three occurred north of the intersection with Luther Road. It was determined during the EIR preparation that this data did not support the need for a potentially significant finding related to vehicular and/or pedestrian safety. It is speculative, and beyond the scope of the EIR, to entertain the possibility that vehicles driving along Canal Street might engage in careless driving and subsequently crash into the existing power poles, which are located outside of the existing travel-way.

Response to Comment 126-13

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Letter 127

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 127-1 I/We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project –
No Build Alternative. The negative impact on the neighboring communities in the already worst-
127-2 congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
127-3 small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
127-4 they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
127-5 will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

Jeff & Kristina Kenoyer

Print name(s)



Sign name(s)

1220 DYER CT. AUBURN

Address

Additional Comments:

- 127-6 Please help protect my home - where I am raising my
children. I ask that you show that you value our welfare
and safety by not allowing this project to happen. Most definitely,
DO NOT ALLOW AN ACCESS ROAD through my neighborhood -
127-7 where my children ride bikes and play. PLEASE LET OUR
FAMILY NEIGHBORHOOD REMAIN A NEIGHBORHOOD!!

Letter 127: Kenoyer, Jeff and Christina, Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104), with the exception of a few individual comments provided in the “Additional Comments” section of the petitions. However, as demonstrated below in Response to Comment 127-6 and 127-7, these “Additional Comments” are already addressed throughout the previously released Final EIR for Bohemia Retail.

Response to Comment 127-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 127-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 127-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 127-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 127-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Response to Comment 127-6

As noted throughout the previously released Bohemia Retail Final EIR, the EIR is not intended to make a judgment on whether or not the project should be approved or denied. The purpose of the EIR, according to CEQA Guidelines, is to evaluate and identify the potential physical environmental impacts resulting from construction and operation of the proposed project, and subsequently identify feasible mitigation measures to avoid or reduce impacts. The decision to approve or deny the proposed project is the responsibility of the County decision-makers. The No Canal Street Access Alternative has been enhanced in the *Introduction and List of Commenters* Chapter of this Final EIR to provide more detailed discussion of the potential physical impacts associated with the implementation of this Alternative. The No Canal Street Access Alternative analysis contained in Chapter 17, *Alternatives*, of the Draft EIR, as further enhanced in the *Introduction and List of Commenters* Chapter of the Final EIR, provides sufficient detail to enable the County decision-makers to approve the No Canal Street Access Alternative, should they elect to do so. The commenter’s opinions regarding the proposed project have been forwarded to the decision-makers for their consideration.

Response to Comment 127-7

As discussed in the Staff Report to the Planning Commission, Staff is recommending approval of the No Canal Street Access Alternative, which precludes secondary vehicle access to Canal Street.

Received

FEB 23 2010

CDRA - Admin.

Maywan Krach
Environmental Coordination Services
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

RE: BOHEMIA RETAIL PROJECT (PEIR T20080235 / State Clearinghouse# 2001042086)

Dear Maywan Krach:

- 128-1 I/We the undersigned oppose the Bohemia Retail Project and therefore endorse the option, No Project –
No Build Alternative. The negative impact on the neighboring communities in the already worst-
128-2 congested area of Hwy 49 is unreasonable and unacceptable for the Auburn lifestyle. The addition of
traffic, automobiles and semi trucks, will increase air and noise pollution. This alone will affect our
health and peaceful existence in our wonderful community. A big box store has no business being in the
backyard of a neighborhood. Especially intolerable is any entrance and exit from the parking area onto a
128-3 small neighboring street that will create a traffic situation for which there is no good solution, certainly
not a stoplight at Canal Street and Luther Road, where it already bottlenecks and where to the lack of
visibility produces a danger of accidents coming down the hill toward Highway 49. A light at this
proposed entrance could bring hundreds of vehicles looking for an alternate route through the various
developments from Oak Ridge Road. The project is across from a park where children play and swim and
128-4 they should continue to do so in a safe and clean environment. There is a potential increase of crime
especially if the store is a Walmart, where there is proof of a rise of crime in those areas by 5-15%. The
completion of this project would result in destroying my/our quality of life. Hundreds of home values
128-5 will decrease as the desirability to live in this area will diminish. Please do not allow this project to
proceed. Thank you for considering the welfare of the citizens who enjoy living in Auburn, Placer County.

Laurel Westsmith
Print name(s)

Laurel Westsmith
Sign name(s)

2055 Bandas Lane
Address Auburn, CA 95603

Additional Comments:

Letter 128: Westsmith, Laurel, Resident (Petition)

As noted above, this additional petition is a duplicate of those already included in Chapter 3 of the Bohemia Retail Final EIR (see Letters 45 through 104).

Response to Comment 128-1

See Response to Comment 45-1 of the Bohemia Retail Final EIR.

Response to Comment 128-2

See Response to Comment 45-2 of the Bohemia Retail Final EIR.

Response to Comment 128-3

See Response to Comment 45-3 of the Bohemia Retail Final EIR.

Response to Comment 128-4

See Response to Comment 45-4 of the Bohemia Retail Final EIR.

Response to Comment 128-5

See Response to Comment 45-5 of the Bohemia Retail Final EIR.

Letter 129



ARNOLD SCHWARZENEGGER
GOVERNOR

March 9, 2010

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

RECEIVED

MAR 24 2010

Maywan Krach
Placer County Community Development Resource Agency
3091 County Center Drive, Suite 190
Auburn, CA 95603

ENVIRONMENTAL COORDINATION SERVICES

Subject: Bohemia Retail Project
SCH#: 2001042086

Dear Maywan Krach:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on March 4, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Acting Director, State Clearinghouse

Enclosures
cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

129-1

Document Details Report
State Clearinghouse Data Base

Letter 129
Cont'd.

SCH# 2001042086
Project Title Bohemia Retail Project
Lead Agency Placer County

Type	EIR Draft EIR
Description	The proposed project would be constructed as a single-phase retail development consisting of an approximately 155,000 square-foot building on 18.82 acres. The project could include an outdoor garden center and fueling area depending on the end user(s). The improvements would include new underground utilities, paving, parking, lighting, and landscaping. The proposed parking design requirements, circulation and landscaping would conform to Placer County standards as contained in the Placer County Design Guidelines Manual and the Auburn/Bowman Community Plan. The proposed parking lot would include 717 standard parking stalls, 17 Handicap (HC) accessible spaces, and two van accessible stalls. Cart corrals would be used in the parking lot. For public safety purposes, the project includes installation of perimeter fencing. In addition, portions of the site adjacent to the existing railroad, canals, and the PG&E corporation yard, will be either walled or fenced. A wood fence would be constructed along the northern property line, adjacent to existing residences, and a solid masonry wall would be constructed along the eastern boundary of the sites, adjacent to Canal Street. An underground detention pond is proposed in the northwestern portion of the site.

Lead Agency Contact

Name	Maywan Krach		
Agency	Placer County Community Development Resource Agency		
Phone	530-745-3132	Fax	
email			
Address	3091 County Center Drive, Suite 190		
City	Auburn	State	CA Zip 95603

Project Location

County	Placer		
City	Auburn		
Region			
Lat / Long	38° 55' 54" N / 121° 05' 10" W		
Cross Streets	SR 49 and Luter Road		
Parcel No.	052-102-012, -013, 017, -053		
Township	12N	Range	8E Section 33 Base MDB&M

Proximity to:

Highways	SR 49, I-80
Airports	Auburn Municipal
Railways	Union Pacific
Waterways	Rock Creek Lake, Wise Canal
Schools	Legacy Christian, Chana High, Jack&Jill Pre-Sch, Rock Creek ES,...
Land Use	PLU: Former lumber yard that is currently vacant. Z: Commercial Planned Development, Combining Design Scenic Corridor, with Airport Over-flight. GPD: General Commercial.

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Geologic/Seismic; Minerals; Noise; Public Services; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Landuse; Aesthetic/Visual; Wetland/Riparian

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report
State Clearinghouse Data Base**

Letter 129
Cont'd.

Reviewing Agencies	Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Cal Fire; Department of Parks and Recreation; Department of Water Resources; Office of Emergency Management Agency, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 3; Regional Water Quality Control Bd., Region 5 (Sacramento); Department of Toxic Substances Control; Native American Heritage Commission; Public Utilities Commission
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Date Received	01/19/2010	Start of Review	01/19/2010	End of Review	03/04/2010
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Note: Blanks in data fields result from insufficient information provided by lead agency.

Letter 129: Governor's Office of Planning and Research, State Clearinghouse

Response to Comment 129-1

The comment does not address the adequacy of the Draft EIR, but rather indicates the County's compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.